

Edw. Adon
1784

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OR,
An exact Account of the PROCEEDINGS
OF THE
Four last Parliaments
OF
Q. ELIZABETH
Of Famous Memory.

Wherein is contained
The **COMPLEAT JOURNALS**
Both of the
Lords & Commons,
Taken from the Original **RECORDS** of their Houses.

AS ALSO
The more particular Behaviours of the Worthy Members
during all the last notable Sessions; comprehending the Motions,
Speeches, and Arguments of the Renowned and Learned
Secretary *Cecill*, Sir *Francis Bacon*, Sir *Walter Rawleigh*,
Sir *Edw. Hobby*, and divers other eminent Gentlemen.

Together with
The most considerable Passages of the History of those times.

Faithfully and Laboriously Collected,
By *Heywood Townshend Esq;* a Member in those Parliaments.
The like never Extant before.

L O N D O N :
Printed for *T. Basset*, *W. Crooke*, and *W. Cademan*; at the George
in *Fleetstreet*, at the Green Dragon without *Temple-bar*, and
at the Popes-head in the *New Exchange*. 1680.

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THE
P R E F A C E
TO
The Reader.



THE whole Reign of our Renowned Queen Elizabeth, was such a Series of admirable Events, such a Pattern of wise and honest Counsel and steady Conduct (such an age of hellish Plots and secret Conspiracies by the Papists) on the one hand ; and such prudent Circumspection, Female Courage and Zeal (and happy Deliverances) on the other ; that no History can deserve to be more minutely described than the Affairs in her time : And though many famous Pens have already travelled therein, and given us a fair prospect of her actions, the subtile Contrivances and open Force of her Enemies against her sacred Life, Government, and the true Protestant Religion, and the many providences and more than humane successes which blessed and crowned her days ; yet we never had so full an account of her last Parliaments as is comprehended in this Volume, especially so curiously as the very last is, collected by Mr. Townshend a worthy Member in that Session, who hath so faithfully done it, that it is thought very fit, even after so long an Interval, to appear in publick. There have been many excellent persons of the greatest abilities and worth, who though they had not the ambition to
strug-

struggle to be chosen into the House, and were well acquainted without-doors with all the most important passages within, have yet often wished they might have had the liberty of sitting there but a few days, onely to observe the behaviour, methods, and tempers of Men so assembled, and be an eye-witnesse how things are managed and passed there. Now in this Relation there is so particular and exquisite an Account, that such may even satisfie their curiosity in those very Circumstances: For this is not onely the Journal-Book of what is entered upon Record, but (in the last Session especially) there are all the particular Speeches, Motions, Arguments, nay and the very behaviour of every one in that grand Assembly; and all so painted to the life, that to a considering Reader, it is almost the same thing as if he had been present with them all the while. Here you will finde that the Grievances they laboured to have redressed, were very considerable, their Arguments rational and strong, though finely adorned; which will be easily believed, when we know the famous Secretary Cecill, Sir Francis Bacon, Sir Walter Rawleigh, and many other solid States-men, were fellow-Members in this illustrious Assembly, whose Speeches alone are, as I should guess, a sufficient Invitation to any one that has but heard of them in our English world, to know how they behaved themselves in that House of Commons: which that you may do, I shall make no further Preamble, but conduct you into the Work it self.

Farewel.

ADVERTISEMENT.

☞ That long-expected Work of Dr. William Howell's, now Chancellor of Lincoln, entitled, The General History of the World, in two Volumes, in Folio; the first reprinted, with very large Additions; and the second never before printed: being a most exact History, is finished. Printed for T. Bassett, W. Crooke, and W. Cademan.

A7

An exact and perfect Journal of the Passages in the Upper House of Parliament, holden at Westminster, Anno xxxj^o Reginæ Eliz. Annoq; Dom. 1588. which began there Feb. 4. and then and there continued until the Dissolution thereof; which was on March 29. Anno Dom. 1589.

TH E Queens Majesty, soon after that her wonderful and glorious Victory which God Almighty had given her Navie over that vainly-styled *Invincible Armado*, sent against her Realm of *England* by the King of *Spain*; summon'd this her High Court of Parliament to begin on *Tuesday* the 12th day of *November* that present year 1588. and in the 30th year of her Reign; that so by common Advice and Council she might prepare and provide against the inbred malice of that Prince and Nation: But other occasions of great importance requiring the deferring of the said Assembly, her Majesty prorogued the same to a further day, in manner and form following.

Queen summons a Parliament soon after the defeat of the Spanish Invincible Armado.



Emorandum, Whereas the Queens Majesty by her Writ summoned her Parliament to begin and be holden at *Westminster* this present *Tuesday* the 12th of *November* 1588. her Highness for certain great and weighty Causes and Considerations her Majesty specially moving, by the advice of her Privie Council, and of her Justices of both her Benches, and other of her Council learned, did prorogue and adjourn

the said Parliament until the fourth day of *February* next, by virtue of her Writ-Patent, sealed with the Great Seal, and bearing date the 15th day of *October* last past. Whereupon, at this said 12th day of *November*, the Archbishop of *Canterbury*, Sir *Christopher Hatton* Lord Chancellor, *William* Lord *Burghley* Lord Treasurer, The Earl of *Huntingdon*, the Bishop of *London*, and three other Barons, repaired to the Parliament-chamber (commonly called *the Upper House*) and there, in the presence of the Knights, Citizens, and Burgessees summoned to the said Parliament, declared, That her Highness, for divers good Causes and Considerations her specially moving, by her Highness's said Writ had prorogued the

B

said

The Queen prorogues the Parliament from the 12th of Nov. to the 4th day of Feb.

An. 1588.

said Parliament from the said first summoned day, until the fourth day of *February* next : Whereupon the Writ for the said Prorogation, in the presence of all that Assembly, was openly read by the Clerk of the Upper House, *in hæc verba.*

ELizabetha Dei gratia, Angliæ, Franciæ, & Hiberniæ Regina, Fidei Defensor, &c. Prædelectis & Fidelibus nostris Prelatis, Magnatibus, & Proceribus Regni nostri Angliæ, ac dilectis & fidelibus nostris Militibus, Civibus, & Burgensibus dicti Regni nostri, ad præsens Parliamentum nostrum apud Civitatem nostram Westm. duodecimo die Novembris prox. futurum inchoandum & tenendum, convocatis & electis, & vestrum cuilibet, salutem. Cum nos pro quibusdam arduis & urgentibus negotiis nos statum & defensionem dicti Regni nostri Angliæ, & Ecclesiæ Anglicanæ concernentibus, dict. Parliamentum nostrum ad diem & locum prædict. teneri ordinavimus, ac vobis per seperalia Brevia nostra apud Civitat. & diem prædict. interesse mandaverimus, ad tractandum, consentiendum, & concludendum super hiis in dicto Parlamento nostro tunc & ibidem proponerentur & tractarentur; quibusdam tamen certis de causis & considerationibus nos ad hoc specialiter moventibus, dictum Parliamentum nostrum usq; ad quartam diem Februarii prox. futur. duximus prorogandum; Ita quod nec vos nec aliquis vestrum ad dictum duodecimum diem Novembris apud Civitatem præd. comparere teneamini seu autemini: volumus enim vos & quemlibet vestrum nos penitus openerari Mandantes, & tenore presentium firmiter injungendo precipientes, vobis & cuilibet vestrum ac omnibus aliis, quibus in hac parte intererit, quod ad dictum quartam diem Februarii apud prædictum Civitate Westmonaster. personaliter compereatis, & interstitis, & quilibet vestrum compereat, & interstit, ad tractand. faciend. agend. & concludend. super hiis quæ in dicto Parlamento nostro de Communi consilio dicti Regni nostri favente Domino contingerint ordinari. In cuius rei testimonium, has literas nostras fieri fecimus Patentes. Teste meipsam apud Westm. quinto decimo die Octobris, Anno Regni nostri tricesimo.

Per ipsam Reginam.

Ha. Gerrarde.

And according to this Prorogation, the Parliament held on the fourth day of *February* following; when the Queen's Majesty in her accustomed state and order came to the Upper House, accompanied by Sir *Christopher Hatton* Knight, then Lord Chancellor of *England*, and divers of the Nobility: of which the Journal-book maketh mention in manner and form following.

Feb. 4.

The Q. comes
to the House of
Lords.

On *Tuesday* the fourth of *February*, in the 31th year of the Reign of Queen *Elizabeth* (to which day the Parliament had been last prorogued, and accordingly now held) the Queen's Majesty

jestie was personally present in Parliament; but the Journal-book doth not mention the names of such Lords as were then present.

The Queen being set under her Cloath of Estate, and the Lords placed in their severall ranks and order, and as many of the House of Commons as conveniently could, being let in, and standing before the Bar, Sir *Christopher Hatton* Knight, Lord Chancellor of *England*, in a well-framed and discreet Speech, did there declare unto them at large, the Queens gracious disposition to Peace, and her great wisdom in preserving the same, and singular government of the Realm.

Next, he shewed the great benefit which this Kingdom enjoyeth by her Government; and remembered the great Conquest over the Spanish late wonderful Army (or Fleet) on the Seas, viz. *Anno Dom. 1588.*

He further declared, how much the King of *Spain* remained bent against this Kingdom: And lastly, shewed, that the cause of calling this Parliament, to be, that by the consent of the most grave and wise persons now called together out of all parts of the Realm, preparation may (as far forth as by counsel of man is possible to) be made and provided; that Arms, Souldiers, and Moneys, may be in readines, and an Armie prepared and furnished against all Events.

The Lord Chancellor's Speech being ended, the Clerk of the Parliament read the Names of the Receivers and Triers of Petitions in French, according to the usual form; which were these:

Receivers of Petitions for *England, Ireland, Wales, and Scotland.* Sir *Christopher Wray*, Chief Justice; Sir *Gilbert Gerrard* Kt. Master of the Rolls; Sir *Robert Shute*, one of the Justices of the Kings-bench; Dr. *Aubery*, and Dr. *Ford*.

Receivers of Petitions for *Gascoigne* and other Countries beyond the Seas, and the Isles. Sir *Edmond Anderson*, Chief Justice of the Common-Pleas; Sir *Roger Manwood*, Chief Baron; *Francis Windham*, one of the Justices of the Common-Pleas; Dr. *Clarke*, and Dr. *Cary*.

Triers of Petitions for *England, Ireland, Wales, and Scotland.* The Archbishop of *Canterbury*, the Earl of *Darby*, the Earl of *Worcester*, the Earl of *Sussex*, the Bishop of *London*, the Bishop of *Winchester*, the Lord *Howard of Effingham* Lord Admiral, the Lord *Cobham*, and the Lord *Gray of Wilton*.

Triers of Petitions for *Gascoigne*, and for other Countries on the other side the Seas, and the Islands. The Earl of *Oxford* great Chamberlain of *England*, the Earl of *Warwick*, the Earl of *Pembroke*, the Bishop of *Salisbury*, the Bishop of *Lincoln*, the Bishop of *Rochester*, the Lord *Hunsdon* Lord Chamberlain to the Queen, the Lord *Lumley*, and Lord *Buckhurst*.

During this Parliament, upon several days, seven Temporal Lords sent their Proxies; so did five Spiritual Lords.

31 Eliz.

Heads of the
L. Chancellor
Hatton's
Speech.

Committees, or
Receivers and
Triers of Petitions.

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Et notandum, That all the said Spiritual Lords, excepting one, did every one constitute two several Proctors; and the fifth being John Bishop of Carlisle, whose Proxie was returned February the fifth, made onely one, viz. the Archbishop of Canterbury his Proctor. It likewise seldom happeneth, that any Bishop doth nominate fewer than three or two Proctors; nor any Temporal Lord more than one.

Nota, That the Lord *Eurleigh* had this Parliament four Proxies sent unto him, viz. one from the Lord *Dacres*, one from the Earl of *Warwick*, one from Viscount *Mountacute*, and one from the Lord *Lumley*.

Ipsa Regina continuavit prasens Parliamentum usque in diem Jovis prox. hora secunda post meridiem.

6.

On *Thursday*, February 6. (to which day the Parliament had been last continued) the Queens Majestie was personally present, coming to the said Parliament in her accustomed state and order, about three of the clock in the afternoon, it being the time appointed for the House of Commons to present their Speaker, who they had been authorized to chuse on *Tuesday* last, when the Parliament first began. And thereupon accordingly, the Queen and Lords being set, and the said Knights, Citizens, and Burgeses of the House of Commons being let into the Upper House, two of the most eminent persons of the said House did lead up to the Bar of the Upper House *George Snagg* Serjeant at Law, who was chosen the Speaker of the said House of Commons; who being placed at the said Bar, and silence being made, did in a modest and discreet Speech, disable himself, by reason of his many imperfections; and humbly desired her Majestie to discharge him of that great Place, and to nominate some other more able and sufficient Member of the same House.

Geo. Snagg,
their Speaker,
presented to
the Queen.
Excuses him-
self.

The Queen ap-
proves of him.

Whereupon the Lord Chancellor, by commandment from the Queen, did let him know, That her Majestie did very well allow of his Choice; and thereupon encouraged him willingly and cheerfully to undertake and execute that Charge and Place, to which he had been by the free and unanimous consent of the House of Commons elected and chosen.

He returns his
thanks.

Upon which Speech of the Lord Chancellor's, the said Speaker, according to the usual course and form, rendering all humble thankfulness to the Queens Majestie for her undeserved goodness towards him, in conceiving him able and worthy for the execution of a Place of that great Charge and Trust; and promising his care and readines with all diligence to undergo the same, he did offer up unto her Majestie divers Petitions, in the name and on the behalf of the House of Commons.

Petitions the
Queen in be-
half of the
Commons.

First, That during the continuance of this Sessions, themselves and their necessary Attendants and Servants might be freed from all Suits and Arrests.

Secondly, That they might have free access to her Majestie upon all urgent and important occasions.

Thirdly,

Thirdly, That they might have free liberty of speech in the said House, to debate and dispute of such matters and things as should be there proposed. And lastly, he petitioned her Majesty on his own behalf, that if any thing should be mistaken, or unwillingly omitted by himself, that she would be graciously pleased to pass by and pardon the same.

31 Eliz.

To which Speech the Lord Chancellor, by commandment from the Queen, shortly replied, That her Majesty was graciously pleased to grant all his Petitions; and that he the said Speaker, and the House of Commons, should use and enjoy all such Liberties and Privileges as others in like cases before them had been accustomed to use and enjoy in the times of her Majesties most noble Progenitors: withal admonishing them not to extend the said Privileges unto any irreverent and misbecoming Speeches, or unnecessary Accesses to her Majesty.

The Queen allows of them.

After which Speeches ended, the Lord Chancellor, by command from the Queen, *continnavit præsens Parliamentum usq; in diem Sabbati prox. hora nona.*

On Saturday, Feb. 8. to which the Parliament was continued, were present the Archbishop of *Canterbury*, the Lord Chancellor, the Lord Treasurer, the Marquis of *Winton*, the Earl of *Derby* great Steward, six Earls, twelve Bishops, and eighteen Barons more.

8.

An Act concerning Captains and Souldiers, *prima vice lect.*

An Act for maintenance of Husbandry, and for increase of Tillage, *prima vice lect.*

Two Bills read about the Souldiery and Husbandry.

Dominus Cancellarius continuavit præsens Parliamentum usque in diem Lune prox. hora nona.

February the ninth, Sunday.

On Monday, Feb. 10. were four Bills read, whereof the last being a Bill concerning Captains and Souldiers, *secunda vice lect.* & commissa Domino Thesaurario, Marchioni *Winton*, six other Earls, three Bishops, eleven Barons, Serjeant *Puckering*, & nostro Attornato.

10.

Nota, That here meer Attendants of the Upper House, and no Members of it, are made joynt Committees with the Lords; which is very usually done in the Parliaments foregoing in the Reign of this Queen: where also the Judges being but meer Assistants of the said House, are often nominated Committees also. Whereas in the last Parliaments of her Majesties Reign, viz. in Anno 39, & Anno 43. and in the latter times of King *James*, and our present Sovereign his Son, these are seldom or never nominated as Committees, but onely as Assistants to the Committees, to give their advice if it shall be required, and not otherwise. And although the Clerk of the Parliament might at some times mistake and erre in

Observation of the Collector of this Journal.

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setting such down for Committees as were onely commanded to be attendant upon or assistant unto the said Committees; yet that he should so often mistake in so many Parliaments, and the rather because such Committees are frequently named divers times in sundry of the several Sessions, it is most unlikely and improbable.

Dominus Cancellarius continuavit præsens Parliamentum usque in diem Veneris prox. hora nona.

14.

On Friday, Feb. 14. an Act for the more speedy payment of Dismes and Tenths, *prima vice lect.*

Memorandum, The Lords Committees brought in the Bill concerning Captains and Souldiers, with Amendments: And by reason of divers defects in the same Bill, they had framed a new Bill; which new Bill, by consent of all the Lords, was received, and *prima vice lect.*

An Act touching Constats of original Conveyances made by the Queens Majestie, *secunda vice lect.*

An Act to save discontinuance of Writs of Errour upon Errours in the Courts of Exchequer, *secunda vice lect.* & *commissa Archiepisc. Cant. & Ebor. Dom. Senescallo*, three Earls, three Bishops, six Barons, *Magistro Rott. Servient. Shuttleworth, nostr. Attur. & Solicitor.*

Nota here also (as in the Page before going) such as are no Members of the Upper House, are made joynt Committees with the Lords.

Dominus Cobham & Dominus Stafford, Robis Parliamentaribus induti, introdixerunt Dominum Talbott, cumque ad locum suum perduxerunt, præeunte Gartira Principale Rege Armorum, qui etiam tunica Armorum indutus erat.

Because the dayly continuing of the Parliament in these words, *Dominus Cancellarius continuavit præsens Parliamentum, &c.* is but matter of form, it is henceforth omitted, unless somewhat extraordinary fall out in respect of the person or manner of continuing of it.

15.

Three Bills read, two committed, viz. for Tillage and Husbandry, and against Horfe-stealing.

On Saturday, Feb. 15. three Bill were read; whereof two of them, the first being an Act for maintainance of Houses, for Husbandry and Tillage; and the second being an Act against Horfe-stealing, were *secunda vice lect.* & *tunc commissa Domino Thesaurario, 4 Comitibus, 2 Episcop. 8 Baronibus, Justiciario Gawdy, Servienti Puckering, & Solicitatori Regine.*

Nota, That here also one Assistant of the Upper House, and two Attendants upon it, are made joynt Committees with the Lords.

Febr-

February the 16th, Sunday.

On *Munday*, Feb. 17. four Bills were read ; whereof the first was an Act for Reformation of Excess in Apparel, *secunda vice lect.* & *commissa Domino Thesaurario*, 3 *Comitibus*, 2 *Episcop.* 6 *Baronibus*, *Servienti Shuttleworth*, & *Solicitori Regina.*

31 Eliz.

16.

17.

Bill against Excess in Apparel, read & committed.

On *Tuesday* the 18th of *February*, four Bills were read ; whereof the first was an Act providing Remedy against discontinuance in Writs of Error in the Exchequer and Kings-bench, *tertia vice lect.* & *conclus.* and sent to the House of Commons by Serjeant *Shuttleworth* and Doctor *Ambry* ; and three other Bills.

18.

Die Jovis xx° Feb. were four Bills read ; the first a Bill for having Horse, Armour, and Weapons, *prima vice lect.* and three other Bills.

20.

Die Sabbati xxij° Feb. were three Bills read ; whereof the last was an Act concerning Captains and Souldiers, *tertia vice lect.* & *conclus.* and together with the two Bills aforesaid, sent to the House of Commons by Serjeant *Puckering* and Doctor *Ford*.

22.

Three Bills were also sent from the House of Commons, *viz.* an Act concerning Informers, and two others of no great moment.

Feb. 23. Sunday.

23.

On *Munday*, Feb. 24. four Bills were read ; whereof one of them being a Bill for Writs upon Proclamation upon Exigents to be currant within the County Palatine of *Durham*, *secunda vice lect.* & *commissa Justiciario Gawdy* ; quod nota.

24.

On *Tuesday*, Feb. 25. two Bills were read ; whereof the first was an Act concerning Informers, *prima & secunda vice lect.* & *conclus.* and so expedited.

25.

Bill about Informers.

An Act for the abridgment of Proclamations upon Fines to be levied at the Common Law, *secunda vice lect.* wherein the Lords finding some imperfections, sent down Serjeant *Shuttleworth* and Doctor *Clarke* to the House of Commons, to pray a Conference with some of that House ; which being granted, the Lords for Committees were, Lord Treasurer, Lord Steward, Bishop of *Winton*, the Lord *Cobham*, and the Lord Chief Justice of the Common-Pleas to attend the Lords.

Lords desire a Conference.

Nota, That here one of the Judges is particularly nominated to attend upon the Lords Committees ; which may further prove, that in all the former places where the Judges or the Queens learned Counsel are named as Committees, it is no error or mistake of the Clerk. So that hence the difference may very well be gathered to be this : That where a Committee of the Lords was formerly used to be selected out to meet

Observation.

meet

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meet with another Committee of the House of Commons, here neither the Judges being but Assistants, nor the Queens learned Counsel being but Attendants of and upon the House, were ever nominated or appointed as joynt Committees with the Lords, because the very Members of either House onely are then admitted to partake of such matters of weight and secrecy as they do there commonly confer upon. But when the Lords, amongst themselves, do appoint a Committee to consider of some ordinary Bill that is to pass their House, and especially if the Bill do concern matter of Law, here it hath been anciently used, and may still, without any prejudice to the honour of that House, be continued, that the Kings learned Counsel, but especially the Judges, may be nominated as Committees alone, or as joynt Committees with the Lords: for in regard that nothing can be absolutely concluded at a Committee, but all matters shall still depend on the resolution of the House; and so no inconvenience shall ensue thereupon.

After the Committees of both Houses had met, the Lords Committees proceeded to the amendments of the Bill; and afterwards this present day the Bill and Amendments received their second reading and passed the House, and were sent down to the House of Commons to be amended by them, by Doctor Carewe and Master Solicitor.

It appeareth by the Journal-book, that the House of Commons having yielded to a Conference, did presently chuse Committees, and sent them up to the Upper House.

Two other Bills had each of them one reading, and one Bill was sent up to the Lords from the House of Commons; all being of no great moment.

27.
Two Bills
read.

On *Thursday, Feb. 27.* were two Bills read; whereof the first being an Act for Reformation of Excess of Apparel, was *secunda vice lect. & commiss. ad unum Comit. & 4 Baron.*

March 1.
Two Bills
read.

On *Saturday, March 1.* were two Bills read, of no great moment. This forenoon also the Lords Committees return'd the Bill for the having Horses, Armour, and Weapons; signifying that they could get no meeting but of so small a number, as their Lordships would not deal in it.

The whole House presently proceeded to the Question, Whether it should be ingrossed or no? Upon which Question, the Lords with one consent agreed it should be ingrossed.

2. *March 2. Sunday.*

3.

On *Munday, March 3.* two Bills were read; whereof one of them concerning the sale of *Tho. Hanford's* Lands towards the payment of his Debts, and another of no great moment, had been sent up to the Lords this morning from the Commons.

On

On Tuesday, March 4. two Bills were read; whereof the latter was a Bill for Sale of *Tho. Hansford's Lands, &c. secunda vice lect.* Whereupon the Lords ordered, that as well the said *Thomas Hansford*, as those that followed the Bill, should be warned to be before them with their learned Counsel, at the next sitting of the Court; which shall be on Thursday next, at nine a clock. Two Bills of no great moment were this forenoon also sent up to the Lords House from the House of Commons.

31 Eliz.
4.

On Thursday, March 6. the Amendments of the Bill for maintenance of Husbandry, were *prima & secunda vice lect. & commiss. ad ingross.* Three Bills also of no great moment, had each of them one reading. And one Bill concerning the preservation of *Orford-haven*, was brought up to the Lords from the House of Commons.

6.

On Saturday, March 8. were three Bills each of them once read, of no great moment.

8.

March 9. Sunday.

9.

On Monday, March 10. four Bills; whereof the last being a Bill for an Assurance to be made of the Joynture of *Anne*, Wife of *Henry Nevill Esq;* *secunda & tertia vice lect. & communi omnium Procerum assensu conclus.*

10.
Bill to assure
the Joynture
of *Anne Nevill*.

Memorandum, That before the third reading and the passing of the Act of the Joynture of the Wife of *Henry Nevil*, by which all former Conveyances made by the said *Henry Nevil* of the Mannors of *Waighsfeld* and *Wadhurst*, &c. in the County of *Sussex*, were made frustrate and void;

The Lords ordered, That the said former Conveyance should by the Parties to the same, be brought into this House, and delivered to the Clerk of the Parliament sealed up; to the end that if it shall please her Majesty to give her Royal assent unto the said Act, that then the said Indentures and Conveyances should be forthwith cancelled. But if it shall not please her Majesty to give her Royal assent, that then the said Indentures and Conveyances should safely be redelivered to the said Parties, unseen of any, and uncanceled. And to this, all the Parties agreed, as well before the Lords the Committees, as before the whole House.

Memorandum, That according to the said Order, the Deeds mentioned therein were cancelled the 12th day of May, Anno Regni Regine Elizabethæ tricesimo primo.

On Tuesday the 11th of March, was one Bill read, of no great moment. And two Bills were brought up to the Lords from the House of Commons; whereof the first was an Act of four Fifteens and Tenths, and two entire Subsidies, granted by the Temporality; and another of no great moment.

11.
Subsidy-Bill
brought from
the Commons.

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13.

On *Thursday* the 13th of *March*, the Amendments of the Bill for having of Horses, Arms, and Weapons, *prima & secunda vice lect. & commiss. ad ingross.*

The Amendments also, and a new Proviso annexed unto the Bill against Informers, *secunda & tertia vice lect. & communi omnium Procerum assensu conclus.* and one other Bill of no great moment, read *prima vice*.

14.
Subsidy-Bill
read.

On *Friday, March 14.* the Bill of Subsidie was once read : And the Bill for the Provision for *Orford-Haven lect. est & conclus.* and sent to the House of Commons by Serjeant *Shuttleworth* and Mr. *Powell*.

15.
Bill against
Cottages.

On *Saturday, March 15.* were six Bills read ; whereof one being an Act against erecting and maintaining of Cottages, *tertia vice lect. & conclus.* and sent to the House of Commons by Dr. *Clarke*.

Another Bill, being an Act for the confirmation of the Subsidies of the Clergie, *prima & secunda vice lect. & commiss. ad ingross.*

16.

Sunday, March 16.

17.
Subsidy-Bill
assented to.

On *Munday* the 17th of *March*, were four Bills read ; whereof the first was the Bill of the Subsidie, being *tertia vice lect. & communi omnium Procerum assensu conclus.*

There were also sent up to the Lords this forenoon, six Bills of no great moment.

18.

On *Tuesday, March 18.* were seven Bills read ; whereof one being an Act that the Children of Aliens shall pay Strangers Customs, *tertia vice lect. & conclus.* and sent with the former to the House of Commons, by Dr. *Clarke* and Dr. *Carewe*.

There were also this morning brought up to the Lords from the House of Commons, four Bills ; which were of so little moment, as two of them were not mentioned in the Journal-Book.

19.

On *Wednesday, March 19.* were three Bills read, of no great concernment.

20.

On *Thursday* the 20th of *March*, were two Bills read, of no great moment : And the same forenoon one other Bill of small consequence, brought from the Commons.

21.

On *Friday, March 21.* were four Bills read ; whereof the first being an Act concerning the Hospital of *Lamborn, tertia vice lect. & conclus.* and sent to the House of Commons by Serj. *Puckering*, and three other Bills of no great moment.

There were also sent up to the Lords from the House of Commons this forenoon, three Bills of no great moment.

On

On *Saturday*, *March 22.* were four Bills of no great concernment, brought from the House of Commons: And the Lords having this forenoon given three readings to the Bill for the better Assurance of Lands and Tenements for the maintainance of the Free Grammar-School of *Tunbridge* in the County of *Kent*, did send the said Bill with those new Amendments, to be passed also in the House of Commons; the Bill it self having before passed that House, and had been sent up from them to the Lords on *Munday* last.

March 23. Sunday.

On *Munday*, *March 24.* three Bills of no great moment, and the Amendments of the fourth, were read: And five Bills of as little consequence, were sent up to the Lords from the House of Commons.

Memorandum, quod Christopherus Wray Miles, Capital. Justiciar. de Banco Reg. secum adduxit in Parlamento in Camera Parliamenti, intra Dominos Breve de Errore & Billam de Regina indorsat. ac Rotul. in quibus continebantur placit. & processus in quibus supponebatur error, & ibid. reliquit transcript. totius Recordi cum Clerico Parliamenti, simul cum prædicto Breve de Errore in Parlamento.

On *Tuesday*, *March 25.* three Bills were brought up to the Lords from the House of Commons, of no great moment; and other Bills of as small consequence, read in the House; whereof one was read twice, and the other thrice.

No mention is made of the continuance or adjournment of the Parliament, being omitted by the Clerks negligence.

On *Wednesday*, *March 26.* three Bills were read; whereof the first being an Act to avoid secret Outlawries of her Majesties Subjects, *tertia vice* lect. and sent to the Commons by Dr. *Carewe*: And the last being an Act for the relief of Jurors, read *secunda & tertia vice*, and rejected.

An Act also of no great moment, was this forenoon sent up to the Lords from the House of Commons.

On *Thursday* the 27th of *March*, nothing was done; but the Parliament continued to the hour accustomed.

On *Friday*, *March 28.* three Bills were sent up to the Lords from the House of Commons; whereof the first was an Act for the explanation or declaration of the Statute of 8 *Hen. 6.* concerning forcible Entries, the Indictments thereupon found *expedit.* and two other Bills of no great moment.

An Act also for naturalizing *Joyce* the Daughter *Ralph Elkin* Gent. and Wife of *Richard Lambert* Merchant, born beyond the Seas, read thrice, & *expedit.*

Dominus

31 *Eliz.*

22.

Bill for maintainance of the School at Tunbridge.

23.

24.

An. 1589.

25.

26.

Bill to avoid secret Outlawries; For relief of Jurors.

27.

28.

Bill concerning forcible Entries.

Bill for Naturalization.

An. 1589.

Dominus Cancellarius continuavit præsens Parliamentum usque in diem Crastinam, dimid. horæ ante septimam.

29.

On Saturday, March 29. a Bill for continuance of divers Statutes, *tertia vice lect.* and sent to the House of Commons by Dr. Stanbopp, and Mr. Powell.

Here, by the negligence of the Clerk, the Lords Spiritual that were present, are omitted; but the Lords Temporal that attended the Queen, are thus named, who was there personally present this day at the dissolving the Parliament.

Lords Temporal present at the Dissolution of this Parliament.

Sir Christopher Hatton Miles,
Dominus Cancellarius.

Dominus Burleigh, Dominus
Thesaur. Angliæ.

Marchio Winton.

Comes Darby, *Magnus Senescallus.*

Comes Northumberland.

Comes Kanc.

Comes Cumberland.

Comes Suffex.

Comes Huntingdon.

Comes Bathon.

Comes Pembroke.

Comes Hartford.

Comes Essex.

Barones.

Dominus Howard, Admi-
rall.

Dominus Hunsdon, Camer.

Dominus Willoughby.

Dominus Morley.

Dominus Cobham.

Dominus Talbott.

Dominus Stafford.

Dominus Grey.

Dominus Darcy.

Dominus Sands.

Dominus Windfor.

Dominus Wentworth.

Dominus Wharton.

Dominus Rich.

Dominus Willoughby.

Dominus Northe.

Dominus St. John.

Dominus Buckhurst.

Dominus De-la-ware.

Dominus Norris.

Bills presented to the Queen for Royal Assent.

Queen passes the Subsidy.

These being thus set, and the Commons House with their Speaker, and as many as conveniently could, being let in, the said Speaker, according to the usual form, presenting her Majesty with the Bill of two Subsidies and four Fifteenths granted by the Temporality; desired her Highness graciously to accept thereof, as the free Testimony of the faithful and loyal Respect of her Subjects: and withal desiring her Majesty to give her gracious consent to such Acts as had been prepared and expedited by the two Houses of Parliament.

To the Bill of Subsidies the Queen answered, *Le Royne remercee ses loyale Subjects accept leur benevolence & ainsi le veult.*

The Clerk of the Parliament having read this former Answer of the Queens acceptance of the Bill of Subsidie, did then read in these French words following the thanks of the Lords and Commons, for her Majesties most free and gracious Pardon.

Les

Les Prelats, Seigneurs, & Communs in ce present Parliament assembles, au nom de tous vos autres Subjects remercient tres-humblement vostre Majestie, & prient a Dieu que il vous donne en bonne vie & longue.

31 Eliz.

Lords and Commons return thanks in French.

To every publick Act allowed by the Queen, the Clerk of the Parliament read in French these words following: *La Royne le veut.*

To every private Act that passed, *Soit fait comme il est desire.*

These two last Answers to the Publick and Private Acts that pass, are to be written by the Clerk of the Parliament at the head of every Act.

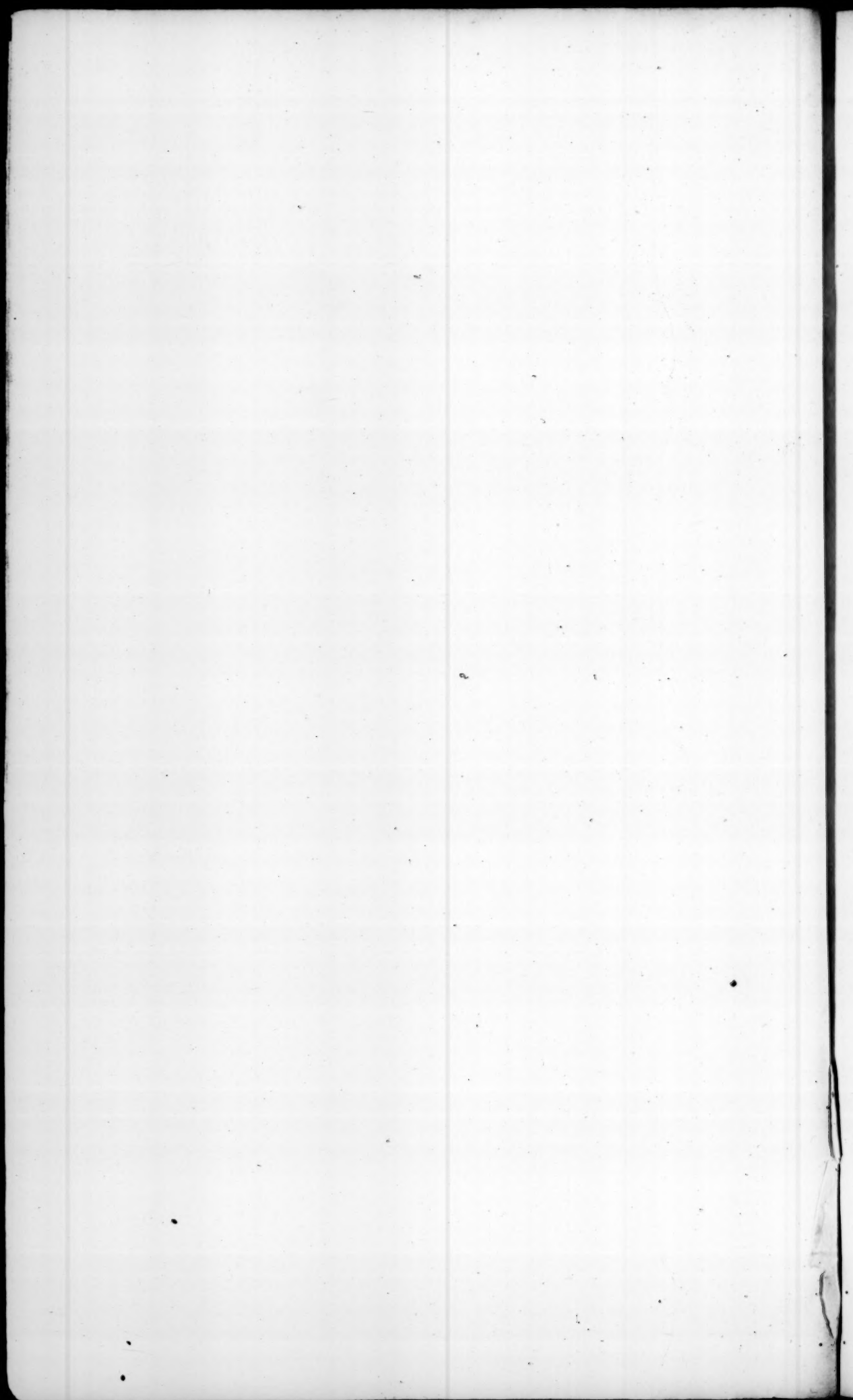
To such Acts as her Majesty did forbear to allow, the Clerk of the Parliament did read in French these words: *Le Royne se advisera.*

After which ended, the Dissolution of the Parliament followed in these words: *Dominus Cancellarius ex mandato Domine Reginae tunc presentis dissolvit presens Parliamentum.*

They are dissolved.

E

A



A Journal of the House of Commons, in the Parliament held at Westminster, Anno 31 Reginae Eliz. Annoq; Dom. 1588. begun the 4th of February, and ended on the 29th of March, 1589.

ON *Tuesday, Feb. 4.* the Parliament did begin, and the House of Commons had authority to chuse their Speaker, and they chose *George Snagg* Serjeant at Law, for their Speaker; who having modestly disabled himself, was notwithstanding allowed of by the House, and thereupon placed by two of the most eminent Personages thereof in the Chair.

On *Wednesday, Feb. 5.* the House sat not, because their Speaker was not yet presented to her Majesty.

On *Thursday, Feb. 6.* the Knights, Citizens, and Burgeses of the House of Commons having notice about two of the clock this afternoon that her Majesty with the Lords Spiritual and Temporal were already come into the Upper House expecting their attendance, repaired thither with *George Snagg* Serjeant at Law, their Speaker, and presented him unto her Majesty; who notwithstanding his humble disabling and excusing of himself, her Majesty did, by the mouth of the Lord Chancellor, signifie her allowance of him; and afterwards also in like manner answered to his Petitions of course made in the name of the House of Commons for freedom of Access, liberty of Speech, freedom from Arrests and Suits, and lastly, in his own name, for pardon for himself; and that the said House of Commons and himself should enjoy and use all such Priviledges and Freedoms as had in the like case been enjoyed by any others in the times of her Majesties most noble Progenitors. Whereupon the said Knights, Citizens, and Burgeses, with their Speaker, departed to their own House: And then was read the Bill for reformation of deceitful Practices used in reverfal of Fines at the Common Law.

On *Friday, Feb. 7.* the Bill touching Informers and Informations upon penal Statutes, was read the first time.

This day the House was called over; and all those that did then sit in the House, and were present at the calling of the same, did thereupon severally answer to their names, and departed out of the House as they were called.

On

*Feb. 4.
1588.
House of Com.
assembled.
Sery. Snagg
chosen Speaker.*

5.

6.

*Presented to
the Queen.
Disables him-
self.
Is allowed to
be Speaker by
the Queen.*

*Bill against
deceitful pra-
ctices in Law.*

7.

*House called
over.*

An. 1588.

8.

Bill to avoid
Foreftalling,
&c.

On *Saturday*, Feb. 8. the Bill to avoid the Abuses grown by Foreftalling, Ingroffing, and Regrating, was read *prima vice*.

Also the Bill touching Informers and Informations upon Penal Statutes, was read the second time, and committed to all the prime Counsel of this House; Mr. Recorder of *London*, Sir *William Moore*, Mr. *Grafton*, and others, who were appointed to meet in the Star-chamber at two of the clock in the afternoon.

9.

February 9. Sunday.

10.

Bill touching
benefit of
Clergy.

On *Monday*, Feb. 10. the Bill touching the benefit of Clergie in some cafes of Offenders, was upon the second reading committed unto Mr. *Cromwel*, Mr. Secretary *Woolley*, and others, who were appointed to meet in the Star-chamber on *Wednesday* next at two of the clock in the afternoon.

A Bill was brought in, that Lands intailed and Copyhold-lands may be liable to the payment of Debts, and read the first time; and after sundry Arguments, rejected upon the Question.

11.

Bill touching
Hue and Cry.

On *Tuesday*, Feb. 11. a Bill touching the pursuit of Hue and Cry, was read the first time.

The Committees touching Informers and Informations, which should have met this afternoon, are deferred until *Friday* next in the afternoon.

Mr. Speaker moved the House on the behalf of Mr. *Fulke Onslow* the Clerk of the same, That having of late been long sick, and yet somewhat recovered, albeit but weak still and sickly, and enjoying his Office by Letters-Patents of the grant of her Majesty to exercise the same by himself or his sufficient Deputy or Deputies, it might please this House in his absence, if it shall happen in regard of his health and necessary ease to withdraw himself from the exercise of his Office in this House, in his own person, to vouchsafe therein the attendance of his own Clerks or Servants, such of them as before their intermeddling therein within this House, shall first have taken the Oath usually administred unto all the Members of this House: And thereupon it was so granted and assented unto by the whole House accordingly.

12.

Bill touching
Orford-Ha-
ven in Suff.

On *Wednesday*, Feb. 12. two Bills of no great moment had each of them a reading; of which, the first was a Bill touching *Orford-Haven* in the County of *Suffolk*.

Also two other Bills of no great moment had each of them a reading; of which, the second being a Bill to avoid the Abuses grown in Foreftalling, Regrating, and Ingroffing, was read the second time; and after many Arguments had upon the same, was committed unto Sir *Valentine Dale* Master of Requests, Mr. Recorder of *London*, Sir *Edward Dymmocke*, and others, who were appointed to meet on *Munday* next in the afternoon at two of the clock, in the Star-chamber.

On

On *Thursday, Feb. 13.* three Bills had each of them one reading; of which, the last being the Bill to reform Disorders of common Innes and other Victualling-houses, was read the second time; and after many Speeches and Arguments, committed unto Sir *Valentine Dale* Master of Requests, Mr. *Francis Hastings*, Mr. *Coke*, and others; who were appointed to meet upon *Wednesday* next at two of the clock in the afternoon, in Serjeants-Inne-hall in *Chancery-lane*.

The Bill touching *Orford-haven* was read the second time, and after some Speeches committed unto Mr. *Arthur Hopton*, Mr. *Anthony Wingfield*, Mr. Recorder, Mr. *Grimston*, Mr. *Robinson*, and others; who were appointed to meet upon this day sevensnight at two of the clock in the afternoon, in the Exchequer-chamber.

On *Friday, Feb. 14.* four Bills had each of them one reading; of which, the second being the Bill touching Exactions upon the Subjects of this Realm by the Officers of the Exchequer, was read the first time; which said Bill was brought into the House by Sir *Edward Hobby*, who alleadged that the said Exaction did nothing tend to any further profit or commodity of her Majesty.

Two other Bills also had each of them one reading; whereof the second being the Bill for abridging of Proclamations upon Fines to be levied, was upon the second reading committed unto Mr. *Morice*, Mr. *Broughton*, Sir *Henry Knivitt*, and others; who were appointed to meet in Serjeants-Inne-hall in *Fleet-street*, on *Tuesday* next, at two of the clock in the afternoon.

Also the Bill touching *Orford-Haven* committed yesterday, was this day delivered to Mr. *Arthur Hopton* one of the Committees.

On *Saturday, Feb. 15.* a Bill to reform Disorders in Purveyors, was read the first time. Mr. Treasurer, Mr. *Cradock*, Sir *William Moore*, and others, did speak unto the Bill; and afterwards it was ordered upon the Question, That the said Bill should be read again this present day: whereupon the said Bill was then presently read again, and upon the Question committed unto all the Privy Council being of this House, and all those that spake unto the Bill, and some others added unto them; who were appointed to meet in this House upon *Munday* next at two of the clock in the afternoon. And the same time and place is also appointed for the Committees in the Bill for Informers and Informations.

Feb. 16. Sunday.

On *Munday, Feb. 17.* the Bill touching the multiplicity of Suits, and the excessive numbers of Attorneys, was upon the second reading committed unto the Knights for the Counties of *Norfolk* and *Suffolk*, Mr. Recorder of *London*, Mr. *Cromwel*, and others; who were appointed to meet upon *Wednesday* next at two of the clock in the afternoon, at Serjeants-Inne in *Chancery-lane*.

31 Eliz.

13.

Bill concerning Disorders in Innes, &c.

14.

15.

16.

17.

Bill against excessive numbers of Suits and Attorneys.

An. 1538.

Sir Edward
Hobby complains against
false Reports,
and discovery
of the Secrets
of the House.

Sir *Edward Hobby* sheweth, with his great grief, That since the last sitting of this House, he hath been (of some great Personage, being no Member of this House) very sharply rebuked for some of his Speeches delivered in this House by him on *Friday* last, in the setting forth of the Bill for Reformation of Abuses in some Officers in the Court of Exchequer ; and that the same his Speeches have been delivered by some unto the said great Personage very untruly, as tending to all the Officers of the said Court. And so shewing other the particularities as well of his own said former Speeches, as of the said untrue Report, and sinister construction of the same, somewhat at large, doth in the end refer himself therein to the testimony of this whole House ; and withal praying the good consideration of this House towards him in this his honest and just excuse, as in like former cases hath been oft accustomed towards other Members of this House ; and especially in regard of the maintenance and preservation of the ancient Liberties of the same, desired that by some of this House the said great Personage may be satisfied of the truth of the Case : And also moved to shew the name of the Reporter of the said untrue Speech ; and to that end citeth to them two like Presidents of this House, one in the time of King *Edw. 6.* and the other of the Queens Majesty that now is. And shewed further, That he thinketh his said Speech was discover'd after Mr. Speaker his late Admonition generally given to the whole House against the uttering the Secrets of this House, either in Table-talk, or Notes in Writing, and not before. And so concluding, giveth all commendation to the said Bill, and prayeth another reading of it presently, and also all good and speedy course both in the commitment and other passages of the same.

Sir *Henry Knivitt* entering into some Speech, doth testifie his approbation of the said Speech of Sir *Edward Hobby* ; and well liking and allowing of due consideration to be had thereof by this House, reciteth very briefly the whole substance in effect both of the said first Speech of Sir *Edward Hobby*, and also of his said late motion ; and giving due commendation of his first Speech, and also of his said Protestation of excuse, urgeth the present reading and proceeding upon the said Bill with all speed. Whereupon, after sundry other Speeches tending likewise to the prosecution of the said Bill to commitment, upon the Question it was ordered, that the same Bill should be presently read ; which was done accordingly.

18.

On *Tuesday, Feb. 18.* four Bills had each of them one reading ; of which, the last was for the relief of *Thomas Haslrigg Esq.*

Mr. Serjeant *Shuttleworth* and Dr. *Arbery* brought down from the Lords a Bill intituled, *An Act providing Remedies against discontinuance of Writs of Errours in the Exchequer and Kings-bench.*

19.

On *Wednesday, Feb. 19.* Mr. Serjeant *Malmsey* one of the Committees in the Bill touching the abridging of Proclamations appointed on *Wednesday* the 12th of this month upon Fines of the Com.

Common Law, shewed, That they have met and conferred upon the said Bill; and having in some parts amended the same, offered another Bill containing the same Amendments.

Mr. Vicechamberlain shewed, that he and others the Committees in the Bill concerning Purveyors, had met, and had conference together with some of her Majesties Officers of the Green-cloath, and according to the Commission of this House. And further, that they have in some parts amended the same Bill, and added a Proviso thereto, such an one as they think fit both for her Majesties service, and also for the better passage of the Bill, and relief of the Subjects; and prayed the same Amendments and Proviso may be read: which said Amendments and Proviso were then read twice. Which done, there then followed sundry Speeches upon the same Amendments and Proviso; and so for that time left it at large without any further course then of question to ingrossing, the House being ready to rise.

The Bill touching *Quo titulo ingressus est*, was delivered to Sir Edward Hobby one of the Committees in the same. The Bill concerning common Innes and Victualling-houses was delivered to Mr. Pratt one of the Committees for the same. And the Bill touching the multiplicity of Suits and excessive numbers of Attorneys, was delivered to Mr. Heydon one of the Committees.

Thursday, Feb. 20. three Bills had each of them one reading; of which, the last being for the relief of *Tho. Haslrigg Esq;* was upon the second reading committed unto Sir Richard Knightly, Sir Henry Knivitt, Mr. Recorder of London, and others; who were appointed to meet on Monday next at two of the clock in the afternoon, in the Star-chamber.

20.

The Committee in the Bill touching Informers and Informations, is deferred until Saturday next at two of the clock in the afternoon, in the same place of meeting.

On Friday, Feb. 21. the Bill for the true payment of the Debts of *Thomas Hanford*, was upon the second reading committed unto Mr. Controuler, Sir Henry Knivitt, Mr. Alford, Mr. Hare, Mr. Grafton, and Mr. Francis Moore; who were appointed to meet to morrow-morning at seven of the Clock in the Committee-chamber of this House, and then Mr. Hanford to attend the said Committees. And also the Bill passed in the last Parliament from this House to the Lords, to be also deliver'd to the said Committees; both which Bills were then deliver'd unto Mr. Controuler.

21.

Four other Bills had each of them one reading; of which, the last, being a Bill for the repealing of certain Statutes, was read the second time, and upon the Question committed to Mr. Crommel, Mr. Broughton, Mr. Dier, Mr. Grafton, and others; who were appointed to meet on Tuesday next at Serjeants-Inne-hall in Chancery-lane, at two of the clock in the afternoon.

The Amendments in the Bill touching Informers and Informations, were twice read; and upon the Question ordered to be ingrossed.

On

An. 1588.

22.

On *Saturday, Feb. 22.* two Bills had each of them one reading ; whereof the second being for the relief of *George Orgnell Esq;* was upon the second reading, and upon the Question, committed unto *Sir Henry Brooke*, *Mr. Serjeant Walmesley*, the Knights of the Shire for the County of *Warwick*, and others ; who were appointed to meet upon *Munday* next at two of the clock in the afternoon, in the Star-chamber.

Three Bills which had passed the House upon the third reading, were sent up to the Lords by *Mr. Vicechamberlain*, *Sir John Parrott*, and others, with Commendations, and request for their Lordships favourable expedition ; of which, the two last were one touching Purveyors, and the other touching Proclamations in Fines.

Two other Bills also had each of them one reading ; whereof the second being a Bill touching Mortmain, was upon the second reading committed to *Mr. Treasurer*, *Sir John Parrott*, *Sir Edw. Hobby*, *Sir William Moore*, and others ; who were appointed to meet on *Thursday* next at two of the clock in the afternoon, in the Exchequer-chamber.

Sir Thomas Palmer one of the Knights for the County of *Suffex*, is for his special occasions of business, licens'd by *Mr. Speaker* to repair home into his Country.

23.

Feb. 23. Sunday.

24.

Subsidy-bill
read.
Bill about
Dover-Haven.

On *Munday, Feb. 24.* the Bill for four Fifteenths and Tenths, and two entire Subsidies, had its first reading.

The Bill for reviving and enlarging of a Statute made in the 23th year of her Majesties Reign for repairing of *Dover-Haven*, was read the first time.

Upon a Motion made touching a Conference to be had in the Commitment of the Bill for relief of *George Ognell Esq;* and that *Trussell* the adverse Party being now in Execution in one of the Counters of *London*, might be heard before the said Committees without peril of an Escape, if he should be brought to *Westminster* ; it is agreed, That the Committees which were appointed to have met this day in the afternoon about that matter in the Star-chamber, do meet in the *Guild-hall*, where the said *Trussell* may be brought before them with his Keeper, without danger (as 'tis thought) of an escape in the Execution.

25.

Tuesday, Feb. 25. three Bills had each of them one reading ; of which, the first *Mr. Cradock* offered to this House, being for continuance and perfecting of divers Statutes ; and praying that the same might be read, the same was read accordingly.

Mr. Davenport moved neither for making any new Laws, nor for abrogating any old Laws, but for due course of proceeding in Laws already established, but executed he thinketh by some Ecclesiastical Governour, contrary both to the purpose of the same Laws, and also to the minde and meaning of the same Law-giver or maker, to the great grief, and hindrance and grievance of sundry
of

of her Majesties good Subjects; and so offered some particularities in writing to the effect, he said, of his motion; praying the same might be read, and committed to be further considered of, and dealt in as this House should think good.

The Bill concerning Processes and Pleadings in the Exchequer passed this day in this House, was sent up to the Lords by Sir *John Parrott* and others, with request to be made unto their Lordships from this House, for their good and favourable expediting of the Bill for reformation of certain Abuses by Purveyors lately sent unto their Lordships from this House.

Two other Bills had each of them one reading; of which, the second being the Bill touching secret Outlawries, was read the first time, and upon further motion read again the second time, and committed to Serjeant *Walmsley*, Sir *Henry Knivitt*, Mr. *Cradock*, Mr. *Coke*, and others; who were appointed to meet at two of the clock in the afternoon, at Serjeants-Inne in *Fleet-street*.

The Bill touching Mortmain, with a Note of the names of the Committees in the same, were delivered to *Humphry Waring* Servant to Mr. *Aldersey* one of the Committees in the same Bill, to be delivered to the said Mr. *Aldersey*.

On *Wednesday, Feb. 26.* the Bill concerning Captains and Souldiers was read the first time, and argued upon by Mr. *Outred*, Sir *Edward Dymmock*, and others; and afterwards was committed to Mr. *Cromwel*, Mr. *Outred*, Mr. Serjeant *Walmsley*, and others; who were appointed to article to the said Bill, and to meet this afternoon at two of the clock in the Chequer-chamber.

Upon a Speech used by Mr. *Alford*, purporting that some that had spoken to the same Bill, had uttered some words of rejecting the said Bill and casting it out of the House; where in very deed there was no such Speech used at all by any that had spoken to the said Bill, nor yet any word tending to such effect: It was upon the Question resolved by the judgment of the whole House, that there had been no such Speech used by any of them that did speak,

On *Thursday, Feb. 27.* the Bill for four Fifteenths and Tenths, and two entire Subsidies, had its first reading.

Mr. Recorder, one of the Committees in the Bill for reformation of Disorders of common Innes and other Victualling-houses, shewed the meeting and travel of the Committees, and some causes which moved them to deal onely with that part thereof which concerneth Calks and the gaging of Vessels for Beer and Ale; and so offered a new Bill for that purpose, with request for good expediting thereof.

Mr. *Apfloye* moved this House touching the great inconvenience grown by the great number of Pluralities and non-Residents, and offered a Bill for reformation thereof, and pray'd the same might be presently read; which was so done accordingly.

31 *Elix.*

26.

27.

Bill against
Pluralities
and Non-Resi-
dents read.

An. 1588.

28.

On *Friday, Feb. 28.* four Bills had each of them one reading ; of which, the last being a Bill for the maintenance of the Poor of *Hartlepool*, was upon the second reading committed unto Sir *Edw. Hobby*, Mr. *George Cary*, Mr. *Stubbs*, Mr. *Beal*, the Burgessees of *Newcastle, Lime*, and *Tarmouth*, and others ; who were appointed to meet to morrow in the afternoon at two of the clock, in the Exchequer-chamber : and the Bill was delivered unto Sir *Edward Hobby* one of the Committees.

The Bill also touching Coists to be recovered against common Informers had its first reading, and upon a further motion was read again, and upon the Question ordered to be ingrossed.

March 1.

On *Saturday, March 1.* two Bills had each of them one reading ; of which, the second being the Bill against Pluralities and Non-Residents, was read the second time ; and after sundry Arguments, many with the Bill, and some against it, was in the end committed to Mr. Treasurer, Mr. *Morice*, Mr. *Beal*, Sir *Robert Jermin*, Mr. *Francis Hastings*, and others ; who were appointed to meet in the Exchequer-chamber this afternoon.

The Bill for *Tunbridge-School*, with Amendments, was brought in by Mr. *Coke* one of the Committees, and the reasons of the said Amendments were shewed by him.

The Bill concerning the Poor of *Hartlepool* is deferred to be considered of by the Committees on *Munday* next in the afternoon ; and Mr. Vicechamberlain and Sir *John Parrot* are added to the former Committees.

The Paper-book of the Bill touching Process and Pleadings in the Court of Exchequer, is delivered to the Serjeant of this House, to be by him delivered over, this present afternoon, to the Committees for Search and Conference.

2.

March 2. Sunday.

3.

On *Munday, March* the third, upon many Speeches used by Mr. *Grafton*, touching a Report to be made to this House by the Committees touching the Examination of the Returns of one of the Barons of the Port of *New Romney* in the County of *Kent*, not yet certified into this House by or from the Clerk of the Crown ; Mr. *Cromwel*, one of the said Committees, sheweth, That the said Committees had met about the same, according to the Commission of this House ; and so shewing his own opinion, it was, after sundry other Speeches, resolved upon the Question, That he that was chosen by the said Town, should be received into this House as a Member thereof ; which was done accordingly.

The Bill for the true payment of the Debts of *Thomas Hanford*, was read the third time, and passed upon the Question.

Which Bill being passed, the Bill also for abridgment of Proclamations upon Fines, sent down before to this House from the Lords with some Amendments ; and being amended accordingly, were sent to the Lords by Mr. Treasurer and others ; which Mr.

Trea-

Treasurer moved (before he went) that the Lords be desired by this House, That Mr. Solicitor being return'd a Member of this House, might come into this House and give his attendance in the same ; which was assented unto ; and required that he would move the Lords, and the said Mr. Solicitor also, to that end accordingly.

Richard Leveson Esq; returned into this House one of the Knights for the County of *Salop* , for his occasion of business is licensed to depart.

On *Tuesday*, *March 4.* the Amendments of the Bill touching Writs of Covenant, &c. and a Proviso added thereunto , were both twice read ; and upon the Question ordered to be ingrossed.

Two Bills did both pass upon the third reading ; of which, the first was against common Informers, and the second against the Denial for the assurance of the Joynture of *Anne* the Wife of *Henry Nevil Esq;* in which there were these several Amendments incerted, *viz.* in one place this word [but] put out, and this word [and] put in ; and in another place this word [like] put out, and this word [good] put in ; and after this word [effect and no other, as if this Act had never been made] were clean put out. And in another place after this word [title] this word [and] is put out, and these words [claim and demand] are put in. All which Amendments being thrice read, in the end, after some Speeches had, the Bill was passed upon the Question ; which said Bill, with another, were sent up to the Lords by Mr. Vicechamberlain and others.

On *Wednesday*, *March 5.* the Bill concerning *Richard Southwell* was read *prima vice* : Also the Bill for the maintenance of the Peer of *Dover*, was read the second time, and after sundry Speeches, committed unto all the Privy Council being of this House , Mr. *Mills*, Mr. *Alford*, Sir *Edward Hobby*, and others ; who were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

The Bill against Forestallers, Regrators, and Ingrossers, was read the first time, and upon further examination read again ; and upon the division of the House thereupon, upon the Question after the same division, with the yielding of the negative Voices, ordered to be committed unto all the Privy Council being of the House, Mr. *John Hare*, Mr. *George Moore*, Sir *William Moore*, Mr. *Grimston*, Mr. *Cromwel*, and others ; who were appointed to meet on *Friday* next at two of the clock in the afternoon, in the Exchequer-chamber.

On *Thursday*, *March 6.* three Bills had each of them one reading ; of which, the second being a Bill touching Cordwayners, and the third concerning Curriers, they were both committed unto Mr. *Alford*, Sir *William Moore*, Mr. *Grafton*, Mr. *Thomas Knivis*, and others ; (the Bills being then also read the second time) who

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4.

Bill against
common Inform-
ers, &c.

5.

Bill about
Dover-haven.

Bill against
Forestallers,
Regrators, &c.

6.

were

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were appointed to meet upon *Saturday* next in the afternoon, at *Guild-hall*.

Mr. Doctor *Ambury* and Dr. *Cary* do bring word from the Lords, That their Lordships desire that the Committee of this House which were with their Lordships the last day, may now be sent to their Lordships, for that now their Lordships have charge from her Majesty to make their Answer. And thereupon the names of the Committees being read, they were presently sent unto the Lords: And the Bill for the maintenance of the Haven at *Orford* was then also sent up to their Lordships by Mr. Vicechamberlain and the residue of the said Committees.

Whereupon Mr. Treasurer, then one of the Committees touching gaging of Casks, &c. having shewed their meeting about the same yesterday, moved for another time of conference about the same; and that being appointed upon *Saturday* next at *Guild-hall* in the afternoon, it was ordered, That the Brewers and such others as shall think good, may then and there be heard before the Committees what they can say.

7. On *Friday, March 7.* four Bills had each of them a reading; whereof the third being a Bill for the relief of *Thomas Haslrigg*, was read the first time; and thereupon it was ordered upon a motion, That Mr. *Thomas Drury* should come into the House and be heard; who was brought in and heard.

The Amendments in the Bill touching the Free Grammar-School in *Tunbridge* in the County of *Kent*, was twice read: and *Andrew Fisher* Gent. after the reading of the same being brought into the House, did presently give his assent unto the said Bill, and then the Bill upon the Question was ordered to be ingrossed.

The Bill against Forestalling, ingrossing, and regrating, committed the fifth of *March* instant, was this day delivered unto Sir *George Barney*, one of the Committees in the same Bill.

8.
Speaker acquaints the House of the Queen's care about the abuses of the Purveyors, &c.

On *Saturday, March 8.* Mr. Speaker shewed unto the House her Majesties great and inestimable care towards her loving Subjects, yea more than of her own self, or than any of them have of themselves. And as to the parts of the present humble Petition of this House unto her Highness in the grievance by the Purveyors, and in the Court of Exchequer, it pleased her Majesty to tell them, That for the one, to wit, the Abuses of Purveyors, her Highness, of her own Princely care towards her Subjects, had given order unto the late Lord Steward deceased, to address her Letters-Patents to all the Shires of this Realm, for the due inquiry and certificate of the misdemeanors of Purveyors in all places, and of some courses thereupon to be had for convenient redress in the same: And that before any order could well be taken for accomplishing that good intended effect, the *Spaniard* upon a sudden attempt d the Invasion of this Realm; by reason whereof, her Majesty said, the said purpose was not performed. And further shewing that her Majesty having as much skill, will, and power to rule and govern her own Household, as any Subject whatsoever to rule and govern theirs

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theirs, without the help or aid of their Neighbours; so her Majesty intends, being very careful of her own more great love and affection towards her dutiful and loving Subjects (whose most faithful and approved good love and fidelity towards her she more esteemeth than all the Treasures of the world besides) very shortly to cause a Collection to be made of all the Laws already in force touching Puveyors, and also all the Constitutions of her Highness's Household in that case; and thereupon, by the advice of her Judges and learned Counsel, to set down such a formal Plot for the said Redress (yea, and that before the end of this present Sessions) as shall be as good and better for the ease of the Subjects than that this House had attempted without her privity, and in which they would have bereaved her Majesty of the Honour, Glory, and Commendation of the same. And touching the Exchequer, she said, it was her Chamber, and so more neer unto her than the Household: And that in the tenth year of her Reign, her Majesty had caused certain Orders and Constitutions to be set down for the due and fit course of such things in the said Court as her Subjects seem to be grieved for.

March 9. Sunday.

9.

On Monday, March 10. two Bills had each of them one reading; of which, the second being concerning Writs of Covenant, &c. was read the third time; and a Proviso for the Lord Powes and Sir Edward Herbert, and their Heirs, was thrice read; and after many Speeches both with the Bill and against it, the said Bill was dashed upon the Question.

10.

On Tuesday, March 11. the Bill for relief of the City of Lincoln, was upon the second reading committed unto Mr. John Stubbs, the Burgesses of Norwich, the Burgesses of York, and others; who were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

11.

Sir Edward Hobby, Mr. Markham, Mr. Buckley, and Mr. Peter Euers, were added to the Committees in the Bill for the City of Lincoln; and the Bill with their Names was delivered to Sir Edw. Dymmocke one of the Committees.

On Wednesday, March 12. five Bills had each of them one reading; of which, the last being against Aliens and Strangers retailing of Forraign Wares, was upon the second reading committed to Mr. Vicechamberlain, Mr. Controuler, Sir Robert Jermin, Sir William Moore, and others; who were appointed to meet on Friday next at two of the clock in the afternoon, in the Exchequer-chamber.

12.

Bill against Aliens and Strangers retailing of Goods.

On Thursday, March 13. three Bills had each of them one reading; of which, the last being the Bill touching Mr. Southwell, was upon the second reading committed unto Mr. Secretary Woolley, Mr. John Stanhopp, Mr. Haydon, Mr. Recorder of London, and

13.

H

others;

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others ; who were appointed to meet on *Saturday* next at two of the clock in the afternoon, in the Exchequer-chamber.

The Amendments in the Bill for the maintenance of *Dover-Haven* being opened to the House, and the Bill read in such sort amended, was passed upon the Question, after a Proviso offered for the Cinque-Ports first refused upon a former Question.

14.

On *Friday, March 14.* three Bills had each of them a reading ; of which, the second being for the Town of *Barwick*, was read the second time ; and thereupon committed to Mr. *Cromwel*, Mr. *Grimston*, the Burgeffes of *Barwick*, Mr. *Robert Bowes*, and others ; who were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber.

The Bill touching the Children of Aliens Denizons, was upon the second reading committed to divers Committees being of this House ; who were appointed to meet to morrow in the afternoon, in the Exchequer-chamber.

15.
Bill against
Horse-stealing.

On *Saturday, March 15.* three Bills had each of them one reading ; of which, the third being a Bill to prevent Horse-stealing, had its first reading. Also the Amendments in the Bill for the relief of the City of *Lincoln*, being twice read, and the Bill also read in such sort amended, the Bill upon the Question was committed to Mr. Vicechamberlain, Sir *John Parrot*, Mr. *Alford*, the Master of the Wardrobe, Sir *Robert Jermin*, and others ; who were appointed to meet this present day at two of the clock in the afternoon, in the Exchequer-chamber.

The Amendments of the Bill for relief of Curriers being twice read, was upon the Question ordered to be ingrossed.

16.

March 16. Sunday.

17.

On *Munday, March 17.* four Bills had each of them one reading ; of which, the last being the Bill for pursuit of Hue and Cry, was upon the second reading committed to Mr. Vicechamberlain, Mr. *Sherley*, Mr. *Harries*, Mr. *Wroth*, Sir *William Fleetwood*, Sir *William Moore*, and others ; who were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

The Bill for pleading at large in an *Ejectione firme*, had its first and second reading, with an Amendment twice read ; and upon the Question ordered to be ingrossed.

The Bill touching Forestallers, Regrators, and Ingrossers, was brought in by Mr. Treasurer one of the Committees, without any thing done to it, or any Report made ; and so likewise the Bill made for Aliens Children.

Two other Bills had each of them one reading ; of which the second being a Bill to prevent Horse-stealing, was read the second time.

On

On *Tuesday, March 18.* the Bill for repeal of certain Statutes was brought again without any Report by Mr. *Harries*, one of the Committee.

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18.

Two other Bills had each of them their third Reading, of which the second was the Bill for the relief of Curriers; and after some amendments added unto it, being likewise read three times, the Bill was upon the question, and the division of the House, dashed by the difference of thirty Voices; viz. with the Yea Ninety, and with the No one Hundred and twenty.

On *Wednesday, March 19.* the Bill concerning the Glass-Houses and Glass-Furnaces was upon the second reading committed unto Sir *William Moore*, Mr. *George Moore*, Mr. *Markham* and others, who were appointed to meet in the Exchequer-chamber this afternoon.

19.

On *Thursday, March 20.* two Bills had each of them one Reading, of which the second being a Bill for the continuance and perfecting of divers Statutes, upon the second Reading was committed unto Mr. *Morice*, Mr. *Hare*, Mr. *Wroth*, and others; who were appointed to meet in Serjeants-Inne-Hall in *Fleet-street*, this present day, at two of the clock in the afternoon.

20.

On *Friday, March 21.* Four Bills had each of them one Reading; of which the third being a Bill for repeal of certain Statutes, was read the third time, and passed upon the Question.

21.
Bill for repeal
of certain
Statutes pass.

The Amendments made by the Lords in the Bill for the relief of *Thomas Haselrigg Esquire*, and in the Bill for the better recovery of Costs and Damages against common Informers, before passed in this House, and sent up to their Lordships; and the Proviso, added by the Lords to the said last-recited Bill, were three times read, and the same Proviso and Amendments were then passed upon the Question accordingly.

On *Saturday, March 22.* Mr. *Palmer* one of the Committees in the Bill touching Gaging of Casks and of other Forreign Vessels, bringeth in the Bill with some Amendments and Provisoes; being twice read, the Bill was upon the question Ordered to be ingrossed.

22.

Four Bills were sent up to the Lords by Mr. *Treasurer*, and others; of which the two first were, one for the Relief of the City of *Lincoln*, and the other against the abuse in Elections of Scholars, and Presentations to Benefices, with the Amendments and a Proviso.

March 23. Sunday.

23.

On *Munday, March 24.* Mr. *Anderson* being licensed to depart about her Majesties service, two Bills had each of them one reading; whereof the first being the Bill concerning Glass-houses, was brought in by Mr. *De la bar* one of the Committees, in such fort

24.

An. 1589.

sort as it was delivered unto them; and thereupon being twice read, was, after sundry Speeches, and division of the House, ordered to be ingrossed, viz. with the Yeas forty three, and with the Noes thirty five.

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25.

On *Tuesday, March 25.* it was ordered upon the Question, That both the learned Counsel of the Earl of *Warwick*, and also the learned Counsel of *George Ognell*, do attend this House to morrow-morning.

The Bill for maintenance of houses of Husbandry and Tillage, was upon the second reading committed unto the Privy Counsellors of this House, *Mr. Wroth*, *Mr. Cromwel*, and others; who were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber.

26.

On *Wednesday, March 26.* the Bill concerning Aliens Children was read the second time. The Bill also for Strangers retailing of forraign Wares, was amended by the Committee; which Amendments being brought in by them with the Bill, were now twice read, although it be mistaken in the Original Journal-book that the Bill it self had its second reading.

The House
called over,
and the De-
faulters no-
ted.

The House was this day called over, and the Defaulters noted, upon a Motion this day made by *Sir John Parrot* by her Majesties pleasure, upon some intelligence given to her Highness of the small number of the Members of this House presently attending the service of the same, the one half at least being supposed to be absent.

27.

On *Thursday, March 27.* the Bill against secret Outlawries had its second and third reading, and passed upon the Question.

Dr. Cary and *Dr. Stanhopp* brought from the Lords the Bill for the relief of the City of *Lincoln*, with some Amendments of their Lordships unto the same, with further advertisement from their Lordships, that their Lordships do suspend their proceeding on the Bill for continuance and perfecting of certain Statutes sent from the House of Commons to their Lordships, until their Lordships do hear from this House of the proceedings of this House in the Bill for the maintenance of Houses of Husbandry and Tillage.

28.

On *Friday, March 28.* the Amendments of the Lords in the Bill touching forcible Entries, and also the Amendments of this House, being all thrice read, are agreed upon the Question in this House to be passed accordingly.

The Bill against such as steal or imbezzle the Goods, Chattels, or Treasure of her Majesty, being put in trust with the same, was read the first time. Also the Bill that Aliens Children shall pay Strangers Customes, was read the third time; and a Proviso added unto it, thrice read: the Bill and Proviso upon the Question, and Division of the House, dashed, with the Yeas sixty four, and the Noes seventy four.

On

On Saturday, March 29. Dr. Stanhopp and Mr. Powle do bring from the Lords the Bill lately passed this House for the continuation and perfecting of certain Statutes, with a Schedule unto the same added and annexed by their Lordships; and the same Schedule being thrice read, passed upon the Question.

The Bill for the relief of the City of *Lincoln* being perfected according to the Amendments of the Lords, and the Bill also for continuance of Statutes, with the Schedule to the same, were sent up to the Lords by the Master of the Wardrobe and others.

Dr. Cary and Dr. Stanhopp brought from the Lords two Bills, viz. the Act of her Majesties gracious and free Pardon, and the Act of the four Fifteenths and Tenth and two intire Subsidies; which had before passed this House.

The Bill of the Queens Majesties most gracious and free Pardon being once read, passed thereupon; which Bill so passed, was presently sent up unto the Lords by Mr. Fortescue and others.

After which, her Majesty having given her assent unto the passing of sixteen publick Acts, and eight private Acts, being all the Acts that passed this present Parliament; Sir *Christopher Hatton* Kt. Lord Chancellor, by her Majesties Commandment, dissolved this Parliament.

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29.

Acts passed.

Parl. dissolved.

I

An

2

An exact and perfect Journal of the Passages of the Upper House of Parliament, holden at Westminster, Anno xxxv° Reginae Eliz. Anno Dom. 1592. which begun there on Munday the 19th of February, and then and there continued until the Dissolution thereof, on Tuesday the 9th of April, Anno Dom. 1593.



HE Summons for this Parliament being returnable upon this *Munday, February 19*, it held accordingly. The Queen coming privately by Water, accompanied with Sir *John Puckering* Lord Keeper of the Great Seal, and many of the Lords Spiritual and Temporal; there being present this day these Peers, and others ensuing.

Feb. 19.
1592.

The Queen goes to the House of Lords.

Archiepisc. Cant.
Johannes Puckering, Miles.
Dom. Custos mag. Sigill.
Dom. Burleigh, Dom. Thesaurar. Angliæ.
Marchio. Wintoniæ.

COMITES.

Comes Oxon. Magnus Camerarius Angliæ.
Comes Derby, Magnus Seneschallus.
Comes Northumbriæ.

Comes Salopiæ.
Comes Kancie.
Comes Wignor.
Comes Cumberland.
Comes Suffex.
Comes Huntingdon.
Comes Bathon.
Comes Pembroke.
Comes Hartford.
Comes Essex.
Comes Lincoln.
Vicecomes Bindon.

The Names of the Peers there sitting.

EPISCOPI.

<i>Episc. London.</i>	<i>Episc. Lincoln.</i>	<i>Episc. Wignor.</i>
<i>Episc. Dunelmen.</i>	<i>Episc. Peterburgh.</i>	<i>Episc. Landaven.</i>
<i>Episc. Asaphen.</i>	<i>Episc. Heref.</i>	<i>Episc. Salopiæ.</i>
<i>Episc. Cestren.</i>	<i>Episc. Cicestrens.</i>	<i>Episc. Bathon. & Wells.</i>
<i>Episc. Covent. & Litch.</i>	<i>Episc. Bangor.</i>	

BARONES.

<i>Dom. Howard, Mag. Marefch. & Admir.</i>	<i>Dom. Scroope.</i>	<i>Dom. Sheffield.</i>
<i>Dom. Hunsdon, Camerarius Reginae.</i>	<i>Dom. Montjoy.</i>	<i>Dom. North.</i>
<i>Dom. Strange,</i>	<i>Dom. Sands.</i>	<i>Dom. Shandois.</i>
<i>Dom. Morley.</i>	<i>Dom. Windsor.</i>	<i>Dom. St. John.</i>
<i>Dom. Stafford.</i>	<i>Dom. Cromwel.</i>	<i>Dom. Buckhurst.</i>
<i>Dom. Grey.</i>	<i>Dom. Wharton.</i>	<i>Dom. De-la-ware.</i>
	<i>Dom. Rich.</i>	<i>Dom. Compton.</i>
	<i>Dom. Willoughby.</i>	<i>Dom. Norris.</i>

The

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The Queen and the Lords being thus fate, and the Knights, Citizens and Burgeses of the House of Commons, as many as conveniently could be let in; about two of the clock in the afternoon, Sir *John Puckering* Lord Keeper of the Great Seal, by command from the Queen, spake to this effect.

The Lord Keeper's Speech.

THat though the assembling of Parliaments hath antiently been, and still were for the Enacting of Laws, and Reforming of Abuses and Grievances of the Subjects within the Realm; yet at this time the Queens Majesty was desirous to have the Advice of all her loving people, concerning the Defence and Preservation of her Self, her Realms and Subjects, from the Power and Oppression of a forreign Enemy.

Then he declared, that this Enemy was the King of *Spain*, and that his malice was increased by his loss and shame received in 88. That his resolution still was to invade this Kingdome, did plainly appear by his building and getting together many Ships of less bulk, which would be fitter for service in our Seas, than those greater Gallies and Gallions had been in 88. That he desired some nearer place from whence to invade *England*, and therefore at this time was labouring to plant himself in *Britain*, a part of *France*. That he had raised Factions in *Scotland*, and Conspiracies against the King there, finding him an enemy to his ambitious desires.

And therefore we her Majesties Subjects (said he) must with all dutiful consideration think what is fit for us to do; and with all willingness yield part of our own for the defence of others, and assistance of her Majesty in such an unsupportable charge. Were the cause between Friend and Friend, how much would we do for the relief of one another? but the cause is now between our Sovereign and our selves: seeing there is so much difference in the parties, how much more forward ought we to be?

The Aid formerly granted to her Majesty in these like cases, is so ill answer'd, and with such slackness performed, as that the third of that which was granted cometh not to her Majesty. A great shew, a rich grant, and a long sum seems to be made; but little it is, hard to be gotten, and the sum not great which is paid. Her Majesty thinks this to be, for that the wealthier sort of men turn this charge upon the weaker, and upon those of worst ability; so that one dischargeth himself, and th'other is not able to satisfie that he is charged withal: these things should be reformed by such as are Commissioners in this service.

Wherefore it is her Majesties pleasure, the time be not spent in devising and enacting new Laws, the number of which are so great already, as it rather burtheneth than easeth the Subject; but the principal cause of this Parliament is, that her Majesty might

The Lord Keepers Speech, how to direct themselves in this Session.

The Spaniards Design of Revenge discovered;

And his Designs laid open.

Exhorts them to raise Monies.

Shews how insufficient the former Supplies proved;

and by what means they came to be so.

Gives them caution not to mispend time.

might consult with her Subjects, for the better withstanding those intended Invasions, which are now greater than ever before were heard of. And, where heretofore it hath been used that many have delighted themselves in long Orations, full of verbosity and vain ostentations, more than in speaking things of substance; the time that is precious would not be thus spent. This Session cannot be long; the Spring-time is fit that Gentlemen should repair to their Countreys, the Justices of Assize also to go their Circuits; so the good hours would not be lost in idle Speeches, but the little time we have should be bestowed wholly on such business as is needful to be considered of; and *Thursday* next is appointed the day to present the Speaker.

As soon as the Lord Keeper's Speech was ended, the Clerk of the Parliament read the names of the Receivers of Petitions for *England, Ireland, and Wales, and Scotland*; Sir *Francis Popham* Lord Chief-Justice of the *Kings-Bench*, *John Clinch* one of the Justices of the said *Bench*, *Dr. Ambery*, *Dr. Ford*; and they which will deliver Petitions, are to deliver the same within six days next ensuing.

Receivers of
Petitions na-
med.

Receivers of Petitions for *Gascoigne* and other parts beyond the Seas and the Isles, Sir *Edmond Anderson* Lord Chief-Justice of the *Common-Pleas*, Sir *William Peryam* Lord Chief-Baron, *Tho. Walmesley* one of the Justices of the *Common-Pleas*, *Doctor Cary*, *Doctor Stanhop*; and they which will deliver Petitions, are to deliver them within six days next ensuing.

Triers of Petitions for *England, Ireland, Wales and Scotland*, the Archbishop of *Canterbury*, the Marquis of *Winchester*, the Earl of *Darby* Lord Steward of the Queens Household, the Earl of *Sussex*, the Earl of *Essex*, the Bishop of *London*, the Bishop of *Durham*, the Lord *Howard of Effingham* Earl Marshal and Lord Admiral of *England*, the Lord *Cobham*, the Lord *Grey of Wilton*: all these, or four of them, calling to them the Lord Keeper of the Great Seal of *England*, and the Lord Treasurer, and the Queens Serjeants, when need shall require, shall hold their place in the Chamberlains Chamber.

Triers of Petitions for *Gascoigne*, and other parts beyond the Seas, and the Isles, the Earl of *Oxford* great Chamberlain of *England*, the Earl of *Shrewsbury*, the Earl of *Huntington*, the Bishop of *Rocheſter*, the Bishop of *Lincolne*, the Lord *Hunsdon* Lord Chamberlain to the Queen, the Lord *Lumley*, the Lord *Buckhurst*; all these, or any four of them.

Although the usual Custome in the Original Journal-books, is to place all Proxies upon what days soever returnable, before the beginning of the Journal it self; yet I have conceived it more methodical, to place all such Returns in those days upon which they were delivered to the Clerk of the Parliament; and always upon the day on which the first Return was, to make some short Observations of that, if it be unusual and extraordinary, and so to refer the view of the residue to their proper days. On this instant *Mon-*

K

day

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day therefore, being the Nineteenth day of *February*, and the first day of the Parliament, was returned only this one usual Proxie.

Decimonono die Februarii introductæ sunt Litteræ Procuratoriæ Edwardi Episcopi Norwicensis, in quibus Procuratores suos constituit Johannem Episcopum Lond. & Richardum Episcopum Peterburgen.

Nota, This is one of those Proxies I call an usual or ordinary Proxie, when a Spiritual Lord maketh but two Proctors, and a Temporal Lord but one, and those of their own Order: but when a Temporal Lord nominateth a Spiritual Lord for his Proctor, or nominateth more than one Proctor; and when a Spiritual Lord nominateth a Temporal Lord for his Proctor, or but one Proctor, or more than two; these I call *unusual and extraordinary Proxies*. And therefore at this very time, of nine Temporal Lords that sent their Proxies, but one named two Lords; of which see afterwards on *Munday, March 5.* all the rest naming but one. Indeed, of six Spiritual Lords which sent their Proxies, there was but that one set down in the Page before-going, which made two Proctors, all the rest naming three, or but one; all which, see afterwards on the 22. 24. 27. days of *February*, and on the 7. and 28. days of *March*: Where also it may be noted, That *John* Archbishop of *Canterbury* had this Parliament five Proxies. Now follows next in order to be set down, the continuing of this Parliament; which in the original Journal-book it self, followed immediately upon the names of the Lords foregoing, being present this afternoon: So that the substance of the Lord Keeper's Speech foregoing, and this also that follows at the presentment of the Speaker, was supplied by my self out of a very exact Journal which I had of the Passages of the Lower House this present Parliament; conceiving those Speeches, in all my Journals, ought more fitly to be referred to the Passages of the Upper House, than of the House of Commons.

Dominus Custos Magni Sigill. ex mandato Domine Reginæ, continuavit præsens Parliamentum usque in diem Jovis prox. futur.

22.

On *Thursday, Feb. 22.* the Queens Majesty her self came about three of the clock in the afternoon, accompanied with divers of the Lords Spiritual and Temporal; there being present this day the Archbishop of *Canterbury*, Sir *John Puckering* Kt. Lord Keeper of the Great Seal, *William* Lord *Burleigh* Lord Treasurer of *England*, the Marquiss of *Winchester*, twelve Earls, two Viscounts, fifteen Bishops, and twenty three Barons; being for the most part the very same that are by name set down to have been present on *Munday* last.

The

The Queen and the Lords being thus sat, the House of Commons having notice thereof, immediately came up with *Edward Coke Esq;* the Queens Sollicitor, into the Upper House, whom they had chosen for their Speaker; who being led up to the Bar at the nether end of the said House, between two of the most eminent Personages of the Lower House, as soon as silence was made, and the rest of the House of Commons had placed themselves below the Bar, he spake as followeth.

35 Eliz.

Edw. Cooke
the Queens
Sollicitor cho-
sen and pre-
sented.

The Speaker's Speech.

Your Majesties most loving Subjects the Knights and Burgeses of the Lower House, have nominated me, your Graces poor Servant and Subject, to be their Speaker. This their Nomination hath hitherto proceeded, that they present me to speak before your Majesty; yet this their Nomination is onely a Nomination yet, and no Election, until your Majestie giveth allowance and approbation: For as in the Heavens a Star is but opacum corpus until it hath received light from the Sun, so stand I corpus opacum, a mute body, until your high bright shining wisdom hath looked upon me and allowed me.

How great a Charge this is, to be the Mouth of such a Body as your House of Commons represent, to utter that is spoken *Grandia Regni*, my small experience, being a poor professor of the Law, can tell; but how unable I am to undergo this Office, my present Speech doth tell, that of a number of this House I am most unfit: for amongst them are many grave, many learned, many deep wise men, and those of ripe Judgments; but I an untimely Fruit, not ripe, nay bud a but not scarce fully blossomed, so as I fear your Majesty will say, *Neglecta fruge, liguntur folia*; amongst so many fair fruits, you have plucked a shaking leaf.

The Speaker
disables him-
self.

If I may be so bold to remember a Speech used the last Parliament in your Majesties own mouth, Many come hither ad consulendum qui nesciunt quid sit consulendum: a just reprehension to many, as to my self also, an untimely fruit, my years and judgment ill besitting the gravity of this place. But howsoever I know my self the meanest, and inferiour unto all that ever were before me in this place, yet in faithfulness of service, and dutiffulness of love, I think not my self inferiour to any that ever were before me: And amidst my many imperfections, yet this is my comfort, I never knew any in this place, but if your Majesty gave him favour, God who also called them to this place, gave them also the blessing to discharge it.

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The Lord Keeper having received Instructions from the Queen, answered him.

Mr. Solicitor,

HER Graces most Excellent Majesty hath willed me to signifie unto you, that she hath ever well conceived of you since she first heard of you; which will appear when her Highness selected you from others to serve her self: but by this your modest, wise, and well-composed Speech, you give her Majesty further occasion to conceive of you above that she ever thought was in you: by endeavouring to deject and abase your self and your desert, you have made known and discovered your worthiness and sufficiency to discharge the place you are called to. And whereas you account your self corpus opacum, her Majesty, by the influence of her Vertue and Wisdom, doth enlighten you, and not onely alloweth and approveth you, but much thanketh the Lower House, and commendeth their discretions in making such a Choise, and electing so fit a man.

Wherefore, Mr. Speaker, proceed in your Office, and go forward to your Commendation as you have begun.

The Lord Keepers Speech being ended, the Speaker began a new Speech.

But is commended and approved by the Qu. order.

The second Speech of the Speaker.

Considering the great and wonderful Blessings, besides the long Peace we have enjoyed under your Graces most happy and victorious Reign, and remembering withal the Wisdom and Justice your Grace hath reigned over us with, we have cause to praise God that ever you were given us; and the hazard that your Majesty hath adventured, and the charge that you have born for us and our safety, ought to make us ready to lay down our Lives and all our Living to do you service.

After this, he related the great Attempts of her Majesties Enemies against us, especially the Pope, and the King of Spain adhering unto him; how wonderfully were we delivered in 88, and what a favour therein God manifested unto her Majesty.

The Kings of Englands Supremacy asserted from the time of Hen. 3.

proved by Statutes in each Kings reign.

His Speech, after this, tended wholly to shew out of the Histories of England, and the old State, how the Kings of England, ever since Henry the third's time, have maintained themselves to be Supream Head over all Causes in their own Dominions; and recited the Laws that were made in his and other Kings times, for maintaining their own Supremacy, and excluding the Pope. He drew down his Proofs by Statute in every Kings time since Hen. 3. unto Edw. 6.

This

This ended, he came to speak of the Laws, that were so great and so many already, that they were fitly to be termed *Elephantina Leges*: Wherefore to make more Laws, it might seem superfluous; and to him that might ask *Quid Causa ut Crescunt tot magna volumina Legis?* it may be answered, *In promptu Causa est, Crescit in orbe malum.*

The malice of our Arch-enemy the Devil, though it was always great, yet never greater than now; and that *Dolus* and *Malum* being crept in so far amongst men, it was necessary that sharp Ordinances should be provided to prevent them, and all care to be used for her Majesties preservation.

Now am I to make unto your Majesty three Petitions in the names of your Commons. First, That liberty of Speech and freedom from Arrests, according to the ancient custom of Parliament, be granted to your Subjects: That we may have access to your Royal Person, to present those things which shall be considered of amongst us: And lastly, That your Majesty will give us your Royal Assent to the things that are agreed upon. And for my self, I humbly beseech your Majesty, if any speech shall fall from me, or Behaviour found in me, not decent, and unfit, That it may not be imputed blame upon the House, but laid upon me, and pardoned in me.

To this Speech the Lord Keeper having received new Instructions from the Queen, he replied,

HE commended the Speaker greatly for his Speech; and he added some Examples for the Kings Supremacy in Henry the second's time, and Kings before the Conquest. As for the Deliverance we received from our Enemies, and the Peace we enjoyed, he said, the Queen would have the praise of all those to be attributed to God onely. To the Commendations given to her self, she said, Well might we have a wiser Prince, but never should they have one that more regarded them, and in Justice would carry an even stroke without acceptation of Persons; and such a Princess she wished they might always have.

To your three Demands, the Queen answereth, Liberty of Speech is granted you; but how far, this is to be thought on: there be two things of most necessity, and those two do most harm; which are Wit and Speech: the one exercised in Invention, the other is uttering things invented. Priviledge of Speech is granted; but you must know what Priviledge you have, not to speak every one what he listeth, or what cometh in his brain to utter, but your Priviledge is to say Yea or No. Wherefore, Mr. Speaker, her Majesties pleasure is, That if you perceive any idle heads which will not stick to hazard their own Estates, which will meddle with reforming of the Church, and transforming of the Common-wealth, and do exhibit any Bills to such purpose, That you receive them not, until they be

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viewed

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Too great a multiplicity of our Laws.

Lord Keeper's Reply.

A good caution about liberty of speaking in the House.

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As also about
priviledge of
their persons.

viewed and considered of by those whom it is fitter should consider of such things, and can better judge of them.

To your Persons all Priviledge is granted, with this Caveat, That under colour of this Priviledge, no mans ill doings, or not performing of duties, be cover'd and protected.

The last, free Access, is also granted to her Majesties Person, so that it be upon urgent and weighty Causes, and at times convenient, and when her Majesty may be at leisure from other important Causes of the Realm.

After this Speech was ended, the Lord Keeper continued the Parliament in manner and form following : *Dominus Custos Magni Sigill. ex mandat. Domine Regine continuavit præsens Parliamentum usque in diem Sabbati prox. futur.*

This day was returned the Proxie of John Bishop of Carlisse, by which he constituted John Archbishop of Canterbury, John Bishop of London, and Matthew Bishop of Durham, his Proctors ; *quod nota.*

24. On Saturday, Feb. 24. a Bill for restraining and punishing vagrant and seditious persons, who under fained pretence of Conscience and Religion, corrupt and seduce the Queens Subjects, *prima vice lect.*

Eodem die Returnat. est Breve quod Richardus Wigorn. Episcopus præfenti Parlamento interesse summonebatur, & idem Episcopus ad suum præheminenciæ sedendi in Parlamento locum admissus est, salvo cuicquam jure suo.

Dominus Custos magni Sigill. continuavit præsens Parliamentum usque in diem Lunæ hora nona.

This day was returned the Proxie of John Archbishop of York, by which he constituted onely one Proctor, viz. John Archbishop of Canterbury ; *quod nota.*

25. Feb. 25. Sunday.

26. On Munday, Feb. 26. *Returnatum est Breve quo Edwardum Dom. Cromwel præfenti Parlamento interesse summonebatur, qui admissus est ad suum præheminenciæ sedendi in Parlamento locum, salvo jure alienæ.*

The Writ returned, whereby Gilbert Earl of Shrewsbury was summoned. The several Writs returned, whereby George Bishop of Landaff, William Lord Compton, and Edward Earl of Worcester were summoned.

It seemeth by the Journal-book, that nothing else was done this day, but the Parliament continued in usual form : As on Thursday the 22th of February, and on Saturday the 24th day
of

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of the same month, two extraordinary Proxies were returned from two Spiritual Lords; the first constituting three Proctors, and the other but one: for the most ordinary use of the Bishops is, to constitute two Proctors. So also on the 27th of February, being Tuesday, though the Lords did not sit, yet was one unusual Proxie returned from another Spiritual Lord, who constituted but one Proctor to give his voice in Parliament in his absence; whereas it is before often observed, no Temporal Lord nominateth usually above one Proctor, and no Spiritual Lord fewer than two. This said Proxie is thus entered in the Journal-book of the 35 year of the Queen at the beginning of it.

27^o Februarii introductæ sunt Litteræ Procuratoriæ Thomæ Wintonien(s)is Episcopi, in quibus Procuratorem suum constituit Johannem Archiepiscopum Cantuariensem.

27.

On Wednesday, Feb. 28. two several Writs were returned, whereby John Bishop of Bath and Wells, and Matthew Bishop of Durham, were summoned to come to this Parliament; who accordingly took their places. Also this morning two Bills had each of them one reading.

28.

Nota, That because the dayly continuing of the Parliament in these words, *Dominus Custos Magni Sigilli continuavit præsens Parliamentum*, &c. being but matter of course, is omitted in all the Journal afterwards, unless something extraordinary and unusual doth happen, in respect of the Person, time, or manner.

On Thursday, March 1. two Bills were each of them once read.

March 1.

On Saturday, March 3. (to which day the Parliament had on Thursday been continued) four Bills had each of them one reading.

3.

March 4. Sunday.

4.

On Monday, March 5. three Bills were read; and the second, upon the second reading, was committed to be ingrossed.

5.

Nota, This day also was returned a Proxie for a Temporal Lord, by which he constituted two Proctors; which because it is extraordinary and unusual, I desired to have it inserted; and the rather, because of eight other Temporal Lords, none of them constituted above one Proctor, according to the ordinary practice both in these times and since. The said Proxie before-mentioned is thus entered in the beginning of the original Journal-book of this Upper House of Parliament.

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5.

Quint. Marcii introductæ sunt Litteræ Procuratoriæ Henrici Comitiss Huntingdon. in quibus Procuratores suos constituit Gulielmum Dominum Burleigh Thesaurarium Angliæ, & Robertum Comitem Essex, Vicecomitem Hereford, & Dominum Ferrers de Chartley.

6.

On Tuesday, March 6. there was one Bill read once.

7.

On Wednesday, March 7. Breve returnatum est quo Johannes Salisburien. Episc. presenti Parlamento interesse summonebatur, qui admissus est ad suum præheminenciæ sedendi in Parliament. locum, salvo jure alieno.

A Bill for restraining Popish Recusants to certain places of abode.

The same morning there were four Bills read each of them once; the fourth being a Bill for restraining Popish Recusants to some certain places of abode.

There was also brought up to the Lords from the House of Commons, an Act for the naturalizing and making free of William Sidney eldest son of Robert Sidney Kt. Governour of Vlushing, and Dame Barbara his wife; and of Peregrine Wingfield son and heir of Sir John Wingfield Kt. and Dame Susan Countess of Kent his wife.

And note, this day also was one extraordinary Proxie return'd from a Spiritual Lord, who constituted but one Proctor, whereas usually no such Lord constituteth fewer than two; which Proxie is thus entered in the beginning of the Journal-book of this Parliament.

7º Marcii introductæ sunt Litteræ Procuratoriæ Mathei Dunelmensis Episc. in quibus Procuratorem suum constituit Johannem Cantuariensem Episcopum.

8.

On Thursday, March 8. were three Bills each of them once read; whereof the first was an Act for explanation and confirmation of the Queens Majesties Title to the Lands and Tenements late Sir Francis Englefield's Kt. convicted of High-Treason. Not long after this Bill had been committed to ingrossing, according to a certain Order formerly made by the Lords, Francis Englefield Esq; appeared before them with one of his learned Counsel; who were commanded to declare what they could alleadge, why an Act for explanation and confirmation of the Queens Majesties Title to the Lands and Tenements late Sir Francis Englefield's Kt. attainted of High-Treason, should not pass: And upon Allegations made by the learned Counsel, the Lords commanded they should set them down in Writing, and deliver them to the Attorney-General; and that on Friday they should attend on the Judges and the Queens learned Counsel at Serjeants-Inne, and shew such Deeds of Conveyance as they made mention of before the Lords, that the said Lords, upon answer of the Judges and learned Counsel, might proceed upon the said Bill as it should seem best to their Lordships.

On

both Houses of PARLIAMENT.

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On *Saturday*, *March* 10. (to which day the Parliament had been last continued) after the reading of one private Bill, *prima vice*, the Lords gave in Commandment to Mr. Attorney-General to bring on *Munday* certain Depositions remaining in the Exchequer, concerning the Case of Sir *Francis Englefield*, after they had first heard the opinion of the Judges; which was delivered by the Lord Chief Justice of *England*.

10.

March 11. *Sunday*.

11.

On *Munday*, *March* 12. two Bills had each of them one reading.

12.

On *Tuesday*, *March* 13. two Bills being each of them once read, the Lords, at the Bishop of *Worcester's* motion, condescended to a Contribution for the relief of such poor Souldiers as went begging in the streets of *London*, viz. That every Earl should give Forty shillings, every Bishop Thirty shillings, and every Baron Twenty shillings; and appointed the said Bishop and the Lord *Norris* Collectors thereof, and committed the bestowing thereof to the Earl of *Essex* and Lord *Willoughby* of *Eresby*.

13.

A Collection in the House of Peers for poor Souldiers.

On *Thursday*, *March* 15. (to which day the Parliament had been last continued) were four Bills each of them once read.

15.

On *Friday*, *March* 16. were two Bills each of them once read. And then the Lord Keeper continued the Parliament, in the usual form, to the *Munday* following.

16.

On *Munday*, *March* 19. one Bill onely, upon its second reading, was committed to be ingrossed.

19.

On *Tuesday*, *March* 20. the Bill touching Sir *Francis Englefield's* Lands had its third reading, and was concluded. Four Bills also more were this forenoon sent up to the Lords from the Commons.

20.

On *Thursday*, *March* 22. two Bills had each of them one reading.

22.

On *Saturday*, *March* 24. (to which day the Parliament had been last continued) was one Act concluded after the third reading; and four other Bills brought up to the Lords from the House of Commons, whereof one was an Act concerning the lawful deprivation of *Edmond Bonner* late Bishop of *London*.

24.

March 25. *Sunday*.

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25.

On *Munday*, *March* 26. were three Bills each of them once read; whereof the first was an Act for the grant of three entire Subsidies, and six Fifteenths and Tenths, granted by the Temporalty,

26:

Subsidy-bill read, granted by the Temporalty.

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ralty, which had passed the House of Commons, and was sent up to the Lords on *Saturday* last. This morning also two other Bills were sent up to the Lords from the said Commons.

27. On *Tuesday*, *March* 27. three Bills had each of them one reading.

28. On *Wednesday*, *March* 28. three Bills were read *secunda vice*, and one Bill *tertia vice*. Five other Bills were also sent up to the Lords from the Commons.

Nota, This day was an unusual Proxie returned from one of the Bishops absent at this time from the Parliament (as divers other Peers) by the License of her Majesty; in which Proxie he constituted but one Proctor, whereas it is the usual custom for every Spiritual Lord to nominate two at the least, and every Temporal Lord but one. This Proxie is thus entered in the beginning of the original Journal-book of this Parliament.

28^o *Die Marci introducuntur sunt Litterae Procuratoriae Thomae Cestrensis Episcopi, in quibus Procuratorem suum constituit Johannem Archiepisc. Cantuariensem.*

29. On *Thursday*, *March* 29. seven Bills had each of them one reading.

30.
Subsidy granted by the
Clergy, passed.

On *Friday*, *March* 30. five Bills were read; whereof the first was the Bill of Subsidy granted by the Temporality, and the last the Bill of Subsidy granted by the Clergy: both which at this time, upon their several third readings, passed the Lords House.

31. On *Saturday*, *March* 31. were five Bills read.

April 1. *Sunday*.

2. On *Munday*, *April* 2. one Bill was read; and six Bills of like consequence were sent up to the Lords from the Commons.

3. On *Tuesday*, *April* 3. were four Bills once read.

4. On *Wednesday*, *April* 4. one Bill was read *prima & secunda vice*.

5. On *Thursday*, *April* 5. three Bills of no great moment, upon their third reading, passed the House, and were expedited.

An Order about the Contribution for maimed Soldiers.

This morning also this Order was agreed on amongst the Lords: viz. *Whereas the Lords of Parliament, both Spiritual and Temporal, assembled in the Parliament-chamber at Westminster, have with one uniform consent, both in their own Names and the rest*

rest of the Lords absent, ordered, That there shall be a charitable Relief and Contribution made towards the relief and help of a number of Souldiers that are seen in the time of this Parliament maimed and so hurt in the Wars of France, the Low Countries, and on the Seas, for the service of the Queens Majesty and of the Realm; and for that purpose have allowed, that every Archbishop, Marquiss, Earl, and Viscount, should pay towards the Contribution the sum of 40 s. every Bishop 30 s. and every Baron 20 s. For collection whereof, there hath been appointed the Queens Majesties Almoner, the Bishop of Worcester, to collect the same of Bishops; the Lord Norris to collect the sums payable by the Lords Temporal: which hath been diligently done, and received by them for all the Lords Spiritual and Temporal that have been present, and that have attended to their great charge on the service of the Realm in this Parliament. And considering the number of the Souldiers be very many to be relieved therewith, notwithstanding the Knights and Burgeffes of the Commons House have yielded very good and large Contributions, according to their degrees, for the better relief of the said maimed Souldiers; It is by the said Lords Spiritual and Temporal, that have given their chargeable attendance here, and have charitably and honourably yielded to this Contribution, thought meet, and so it is ordered and decreed by them, with common and free consent, That all the Lords of Parliament that have been altogether absent in this Sessions, and that shall not have contributed to this charitable Relief before the end of this Sessions, shall be required by Letters to be sent to them by the Lords that had their Procurations for their absence, or by Letters from the Lord Keeper of the great Seal, required and charged to make payment to be made according to their degrees and vocation, double the sums of money paid by the Lords that have been here present and continued their attendance: that is to say, every Earl that hath been absent 4 l. the Archbishop of York to pay as much, and every Bishop also to pay 3 l. and every Baron 40 s. And for such as have been here present sometimes, and yet very seldom, but have been absent most part, it is thought meet, That every such Lord Spiritual and Temporal shall, according to their degrees, pay a third part more than the Lords that have been present. All which sums of money they shall cause to be delivered to the hands of the Lord Keeper of the great Seal, to be afterwards by such Spiritual Lords of Parliament as are chosen for that purpose, distributed to the maimed Souldiers as shall be found to have most need thereof. The like whereof the Commons assembled in this Parliament have ordered for all the Members of that House that are absent, and have not paid, to contribute in double manner: which Order is thought very just, considering the Lords and others that have been absent, and have been at no charge to come up and give their attendance, may very reasonably, and with a great saving to their charges, contribute to this Order. And if any Lord Spiritual or Temporal shall refuse, or shall forbear thus to do, (which is hoped in Honour none will do) there shall be ordinary means used to levy the same.

The absent Peers to pay a double proportion for the relief of the indigent and maimed Souldiers, by Order of the House.

The Commons having taken the same method.

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6.

On Friday, April 6. Four Bills were each of them once read. Eight Bills were this Morning sent up to the Lords from the House of Commons, whereof the last was an Act to make void the Spiritual Livings of those that have forsaken the Realm, and do cleave to the Pope and his Religion.

7.

On Saturday, April 7. two Bills, only, were each of them once read.

8.

April 8. Sunday.

9.

On Munday, April 9. were Three Bills each of them read *secunda & tertia vice*, and so expedited. Also eight Bills, this Morning, were sent up to the Lords from the House of Commons, whereof one was read *prima & secunda vice*, and another read *prima vice*.

This Morning, finally, whereas a Bill entituled an Act touching Power and Repeal of certain uses of a Deed Tripartite therein mentioned, of and in certain Mannors, Lands and Tenements of *Anthony Coke of Rumford* in the County of *Essex* Esquire, hath been heretofore three times read, and assented unto by the Lords, in which Bill there is no Saving to the Queens Majesty, or any other person or persons, of their lawful estates or titles; there was a Saving drawn for her Majesty and all others, which was offer'd to this House. And some question and ambiguity did grow, whether the Saving should be now added to the Bill; and in the end it was Resolv'd the same should be added to the Bill, for that it is usual and requisite to have such Savings in every Bill; and for that there was nothing in the Saving contrary to any matter in the Bill, and that her Majesties Right and all others be saved thereby. And nevertheless upon weighty Considerations, the Lords have ordered, that this shall not hereafter be drawn to make any president.

Then the Lord Keeper continued the Parliament till the Morrow following, on which it ended; which said Continuance is entred in the Original Journal-book, in Manner and Form following: *Dominus Custos Magni Sigilli continuavit presens Parliamentum usque in diem Martis hora octava.*

10.

On Tuesday, April 10. In the Morning were two Bills read, whereof the first was an Act for Naturalizing of certain *Englishmens* Children born beyond the Seas, *tertia vice lect. & expedit.* And the second was an Act for the Queens most gracious and free Pardon; which was read only once, and then passed the House.

Nota, That the Bill or Act for the Queens general Pardon passeth each House upon the first reading; whereas other Bills cannot be expedited without being thrice read both by the Lords and Commons.

The Queens Majesty came not till the Afternoon ; and therefore in this place, through the negligence of the Clerk, the continuing of the Parliament until some hour in the Afternoon is omitted, which should have been inserted.

35 Eliz.

Between 5 and 6 a Clock in the Afternoon, this present Tuesday, being the 10 of April, the Queens Majesty, accompanied with her Officers and dayly Attendance, came to the Upper-House; and as soon as her Majesty, with her Lords Spiritual and Temporal, and the rest that have place there, were set; the Knights, Citizens and Burgeses of the House of Commons having notice thereof, came up with their Speaker, bringing with them the Bill of the Subsidy. The Speaker being placed at the Bar of the Upper-house, and as many of the Commons as could conveniently be let in; after humble Reverence to her Majesty spake as followeth:

The Queen comes to Dissolve the Parliament.

THe High Court of Parliament, most High and Mighty Prince, is the greatest and most antient Court within this Your Realm; for before the Conquest, in the high places of the West-Saxons, we read of a Parliament holden; and since the Conquest they have been holden by all your Royal Predecessors, Kings of England, and Queens of England.

The Speakers Speech to the Queen.

In the times of the West-Saxons a Parliament was held by the Noble Queen Ina, by these words: I Ina Queen of the West-Saxons, have caused all my Fatherhood, Aldermen, and wise Commons, with the Godly-men of my Kingdome, to consult of weighty matters, &c. Which words do plainly shew the parts of this Court, still observed to this day. For in Queen Ina, is Your Majesties most Royal Person represented: The Fatherhood in antient time were those whom we call Bishops, and still we call them Reverend Fathers, an antient and free part of our State. By Aldermen was meant your Noblemen; for so honourable was the word Alderman in antient time, that the Nobility only were called Aldermen. By wisest Commons, is signified your Knights and Burgeses; and so is your Majesties Writ, De discretioribus & magis sufficientibus. By Godliest men, is meant your Convocation-house; it consisteth of such as are devoted to Religion, and as godliest men do consult of weightiest matters; so is your Highness Writ at this day, Pro quibusdam arduis & urgentissimis negotiis, nos statum & defensionem Regni nostri & Ecclesie tangentibus. Your Highness Wisdome and exceeding Judgment, with all careful Providence, needed not our Counsels: yet so urgent Causes there were of this Parliament, so importunate Considerations, as that we may say, (for we cannot judge) if ever Parliament was so Needful as now, or ever so Honourable as this.

The Antiquity of Parliaments in this Island.

If I may be bold to say it, I must presume to say that which hath been often said; but what is well said, cannot be too often spoken: This sweet Council of ours I would compare to that sweet Commonwealth of the little Bees;

Sic enim parvis componere magna solebam.

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The little Bees have but one Governour, whom they all serve; he is their King, Quia latrea habet latiora; he is placed in the midst of their habitations, ut in tutissima turri: they forage abroad, sucking honey from every flower, to bring to their King: Ignavum Fucos pecus à Principibus arcent, the Drones they drive out of their Hives, non habentes aculeos; and who so assails their King, in him immittunt aculeos, & tamen Rex ipse est sine aculeo.

Your Majesty is that Princely Governour and Noble Queen, whom we all serve; being protected under the shadow of your wings, we live; and wish you may ever sit upon your Throne over us; and who so ever shall not say Amen, for them we pray, ut convertantur nè pereant, & ut confundantur nè noceant. Under your happy Government we live upon Honey, we suck upon every sweet Flower; but where the Bee sucketh Honey, there also the Spider draweth Poyson: some such there be; but such Drones and Dore-Bees we will expel the Hive, and serve your Majesty, and withstand any Enemy that shall assault You, our Lands, or Goods. Our lives are prostrate at your feet to be commanded; yea, and thanked be God, and honour be to your Majesty for it, such is the power and force of your Subjects, that of their own strengths they are able to encounter your greatest Enemies; and though we be such, yet have we a Prince that is Sine aculeo, so full of that Clemency is your Majesty. I come now to your Laws.

The Laws we have conferred upon this Session of so honourable a Parliament, are of two natures; the one such as have life, but are ready to die, except your Majesty breathe life into them again; the other are Laws that never had life, but being void of life, do come to your Majesty to seek life.

The first sort are those Laws that had continuance until this Parliament, and are now to receive new life, or are to die for ever. The other that I term capable of life, are those which are newly made, but have no essence until your Majesty giveth them life.

Two Laws there are, but I must give the honour where it is due, for they come from the noble wise Lords of the Upper House, the most honourable and beneficial Laws that could be desired; the one a Confirmation of all Letters-Patents from your Majesties most noble Father of all Ecclesiastical Livings which that King of most renowned Memory took from those superstitious Monasteries and Priories, and translated them to the erecting of many foundations of Cathedral Churches and Colledges, thereby greatly furthering the maintenance of Learning and true Religion. The other Law to suppress the obstinant Recusate, and the dangerous Sectary; both very pernicious to your Royal Government.

Lastly, your most loving and obedient Subjects, the Commons of the Lower House, most humbly and with dutiful thanks stand bound unto your gracious goodness for your general and large Pardon granted unto them, wherein many great Offences are pardoned; but it extendeth onely to Offences done before the Parliament.

I have many ways, since the beginning of this Parliament, by ignorance and insufficiency to perform that which I should have done, offended your Majesty; I most humbly crave to be partaker of your most gracious Pardon.

The

The Lord Keeper then received Instructions from the Queen, and afterwards replied unto the Speaker. The former part of this Speech was an Answer almost *verbatim* to the Speaker's Oration, very excellently and exactly done; and those things which followed, were to this or the like purpose.

The Lord Keeper.

HE said, That her Majesty most graciously did accept of the Service and Devotions of this Parliament; commending them that they had employed their time so well, and spent it on necessary Affairs; save onely that in some things they had spent more time than needed: but she perceived some men did it more for their satisfaction, than the necessity of the thing deserved.

She disliked also, that such irreverence was shewed towards Privy-Counsellors, (who were not to be accounted as common Knights and Burgeses of the House, that are Counsellors but during the Parliament;) whereas the other are standing Counsellors, and for their wisdom and great service, are called to the Council of State.

Then he said, That the Queens Majesty had heard that some men, in the case of great necessity and grant of Aid, had seemed to regard their Country, and made their necessity more than it was, forgetting the urgent necessity of the time, and dangers that were now eminent.

That her Majesty would not have the People feared with Reports of great dangers, but rather to be encouraged with boldness against the Enemies of the State. And therefore that she straightly charged and commanded, that the mustred Companies in every County should be supplied, if they were decayed, and that their Provisions of Armour and Ammunition should be better than heretofore it hath been used.

That for this offer of three Subsidies, her Majesty most graciously in all kindness thanketh her Subjects; but except it were freely and willingly given, she did not accept of it: for her Majesty never accepteth any thing that is not freely given.

That if the Coffers of her Majesties Treasure were not empty, or if the Revenues of the Crown and other Princely Ornaments could suffice to supply her Wants, and the Charges of the Realm, in the word of a Prince she doth pronounce it, she would not now have charged her Subjects, nor accepted of this they gave her.

35 *Elix.*

*The Lord
Keeper replies.*

*Gently rebukes
them for some
Miscalriages.*

*Gives them
Captions.*

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*The Qu. speaks
her self.*

The Lord Keeper's Speech being ended, after some time of intermission, the Queen being sat in her Chair of State, used a Princely Speech unto the Houses; of which, the greatest part was to the effect and purpose following.

THis Kingdom hath had many wise, noble, and victorious Princes; I will not compare with any of them in Wisdom, Fortitude, or any other Vertues: but saving the duty of a Child, that is not to compare with his Father, in Love, Care, Sincerity, and Justice, I will compare with any Prince that ever you had or shall have.

It may be thought simplicity in me, that all this time of my Reign I have not sought to advance my Territories, and enlarge my Dominions; for opportunity hath served me to do it. I acknowledge my womanhood and weakness in that respect; but though it hath been not hard to obtain, yet I doubted how to keep the things so obtained: that hath onely held me from such attempts. And I must say, my minde was never to invade my Neighbours, or to usurp over any; I am contented to reign over mine own, and to rule as a just Prince.

Yet the King of Spain doth challenge me to be the Quarreller, and the beginner of all these Wars; in which he doth me the greatest wrong that can be: for my Conscience doth not accuse my thoughts wherein I have done him the least injury; but I am perswaded in my Conscience, if he knew what I know, he himself would be sorry for the wrong that he hath done me.

I fear not all his Threatnings; his great Preparations and mighty Forces do not stir me: for though he come against me with a greater power than ever was his Invincible Navy, I doubt not (God assisting me, upon whom I always trust) but that I shall be able to defeat and overthrow him. I have great advantage against him; for my Cause is just.

I heard say, when he attempted his last Invasion, some upon the Sea-coast forsook their Towns, and flew up higher into the Country, and left all naked and exposed to his entrance. But I swear unto you by God, if I knew those persons, or of any that shall do so hereafter, I will make them know and feel, what it is to be so fearful in so urgent a Cause.

*The Q. swears
by God, she
will punish
Cowards.*

The

The Subsidies you give me, I accept thank-fully, if you give me your good wills with them; but if the necessity of the time, and your preservations, did not require it, I would refuse them. But let me tell you, that the sum is not so much, but that it is needful for a Prince to have so much always lying in her Coffers, for your defence in time of need, and not to be driven to get it when we should use it.

You that be Lientenants and Gentlemen of Command in your Countries, I require you to take care that the People be well armed, and in readines upon all occasions. You that be Judges and Justices of the Peace, I command and straightly charge you, that you see the Laws to be duely executed, and that you make them living Laws, when we have put life into them.

Thus with most gracious thanks to both Houses, the Princely Speech ended.

Then were the Titles of all the Acts read in due order, and first, the Bill of Subsidies; to which the Clerk of the Parliament standing up, did read the Queens Answer, in manner and form following: *La Roynie remercie ses loyale Subjects accept leur benevolence, & ainsi le veult.*

The Clerk of the Parliament having read the Queen's acceptance, and thanks for the Subsidies given, as aforesaid, did then, upon the reading of the Pardon, pronounce in these French words following, the Thanks of the Lords and Commons for the same.

Les Prelates, Seigneurs, & Communes, en se present Parliament assembles, au nome de tous vous autres Subjects, remercient tres-humblement vostre Majesty, & prient a Dieu, que il vout done en sante bonne vie & longue.

Not a here, to the Subsidy-bill, because it is the meer gift of the Subject, the Queen's consent is not required for the passing of it, but as it is joyned with her thankful acceptance; nor to the Bill of Pardon, because it is originally her free gift, no other circumstance is required than that the thankful acceptance thereof by the Lords and Commons be likewise expressed; it being but once read in either House before it comes thus at last to be expedited. Now to all other Bills, either private or publick, the Queen's exprefs consent, though in different words, is always requisite, as followeth.

The Bills of Subsidies and Pardon being passed in manner and form as aforesaid, then were the Publick Acts read; to every one of which, allowed by the Queen, the Clerk of the Parliament reads in French these words following: *Le Roynie le veult.*

An. 1593.

To every Private Act that passeth, the Clerk of Parliament reads the Queens Answer in these French words following: *Soit fait come il est desiré.*

These two last Answers to the Publick and Private Acts that pass, are to be written by the Clerk of Parliament at the end of every Act.

To such Acts as her Majesty forbears to allow, the Clerk of the Parliament reads in French these words following: *Le Royne s'avisera.*

After which ended, the Dissolution of the Parliament followed, in these words: *Dominus Custos Magni Sigilli, ex Mandato Dimine Reginae, tunc præsens dissolvit præsens Parliamentum.*

A

35 Eliz.

A Journal of the Parliamentary Proceedings in the Lower House, Anno xxxv° Eliz. Annoq; Dom. 1592. very laboriously collected: Being chiefly called for Consultation and Preparation against the ambitious Designs of the King of Spain; in which some unusual Distastes happened between her Majesty and the House, by reason of their intermeddling with her Majesties Successor to the Crown; which she had forbidden. This Session begun on Munday, February 19. 1592. and ended April 9. 1593.

Munday, Feb. 19. This day the Knights and Burgeses met, and at this day appeared: after that their Names were declared to the Clerk of the Crown, and there entred into his book, they entred into the House.

Feb. 19.
The Parl. meet.

The House being set, the Earl of *Darby*, High-Steward for this Parliament, came into the House to take their Oaths. Sir *Thomas Henage* gave him instructions what order he should use: First, that all should remove into the Court of Requests: There the Lord High-Steward sitting at the door, called the Knights and Burgeses of every County, according to the letters of their names in the Alphabet. Alphabetically every one answered as he was called; and having answered, departed thence up to the Parliament-house-door, and there took the Oath of Supremacy given him by one of the Queens Majesties Privy Counsellors. His Oath taken, then he entered again and took his place as Knight or Burgess of the House. The Fee for entering his name into the Serjeants book is 2 s. the Rewards to the Door-keepers being 3 s. and 8 d. the Fee for returning the Indenture 2 s.

The Members
are sworn.

This done, there was no further proceeding in any matter till two of the clock in the afternoon; about which time the Nobility came, and were set in the Upper House; the Queen came privately by water. After her Majesties coming, and the Lords being all sat, the Lower House had intelligence thereof, and went to attend in the Upper House below the Bar (being well repleated with those that had gotten in before privately.) The door was shut upon us until the Lord Keeper had gone a good step in his Oration. The Lower house finding themselves discontented at this, (because of custome the way ought to have been opened) murmured so loud, that the noise came to her Majesties ears, who presently commanded the doors to be set open; which was done: and by

The Qu. comes
to the House of
Lords.

An. 1592.

by that time the Lord Keeper was upon these words following. The former part of his Oration seemed to set forth matter of form only, as the manner of Parliaments, their Antiquities, &c.

The Lord Keeper's Speech.

Heads of the
Lord Keeper's
Speech. Vide
Journal of the
House of
Lords.

Spaniards pre-
parations by
Sea.

Plants himself
in Britany.

Corrupts the
Scots against
their King to
assist him to
invade Eng-
land:

To which they
consent.

The King of
Scotland in-
formed of their
practices by
the Queen.

HE set forth the great malice of the King of Spain which he had towards this Realm; and that he shewed by sundry instances. His last Invasion intended, his Forces then addressed out of the Low Countries for that purpose, to have been conducted by the Duke of Parma. The high and mighty Ships that he then prepared and sent for that purpose; which because he found not fit for our Seas, and such a purpose, he is building Ships of a lesser bulk, after another fashion; some like French Ships, some like the Shipping of England; and many he hath gotten out of the Low Countries. He is now, for the better invading of England, planting himself in Britain, a Country of more facility to offend us than the Low Countries: there he hath fortified himself in the most strong Holds in that Country.

In Scotland he hath of late wrought most of the Nobility to conspire against their King to give landing to his Forces there, and to assist him in his Invasion; and a great part of the Nobility in Scotland are combined in this Conspiracy, and they have received great sums of money for their service herein. And to assure the King of Spain of their Assistance, they have signed and sent their Promises sealed unto that King.

These Conspiracies the King of Scots was brought hardly to believe, but that her Majesty advertised him thereof, having received intelligence thereof, as she hath of all things done and intended in those parts. And that the King might better advise thereupon, her Majesty hath sent one of her Noblemen into Scotland; and that King hath assured her Majesty, with all his ability and endeavour, to prevent the Spaniard, whose purpose is on the North part to assault us by Land, and on the South side to invade us by Sea; which is the most dangerous practice that could be devised against us.

And now the Rage of the Enemy being such, his Forces joyned with other Princes, his adherency is great; the charge of her Majesty for the defence of her Realm, both with Forces by Sea, and Armies by Land, hath been such, that hath both spent the Contribution of her Subjects by Subsidies, and what otherwise they have offered her; and also consumed her Treasure, yea, caused her to sell part of her Highness Crown-lands: And it is not to be marvelled how all this is consumed, but rather to be thought how her Majesty could be able to maintain and defend this her Realm against so many Realms conspired against us.

Wherefore, we her Majesties Subjects must with all dutiful consideration think what is fit for us to do, and with all willingness yield part of our own for the defence of others, and assistance of her Majesty: And therefore he wished that care might be had for advancing of the Subsidies from the wealthier and better sort; and concluded with

a desire that the greatest part of the time might be spent by material short Speeches, in advising and providing for the defence of the Kingdom against the forraign Enemy.

35 Eliz.

After which Speech ended, her Majesty calling the Lord Keeper unto her, by whose commandment he gave the Lower House authority to chuse their Speaker, and to present him on *Thursday* following, the 22th day of *February*, unto which day he adjourn'd the Parliament.

Upon this Adjournment, the Knights, Citizens, and Burgeses of the House of Commons departed into the Lower House, and there chose *Edward Cooke* Esq; the Queen's Sollicitor, to be their Speaker; who after a discreet and modest excuse of himself, was notwithstanding called to the Chair, and placed in it. After the Ceremony ended, the House of Commons likewise departed for this day.

On *Thursday, Feb. 22.* the Knights, Citizens, and Burgeses of the House of Commons met about one of the clock in the afternoon; and about three the same day, having notice that the Queens Majesty and the Lords were sat in the Upper House, expecting them and their Speaker, they repaired thither; and as many as could getting in, the Speaker was placed at the Bar; where having with all humility excused himself, and confessing that in the said House there were many more experienced Members thereof, and better enabled for that service.

22.

To which Speech, the Lord Keeper having Instructions from the Queen, answered, That her Majesty did very well allow of himself to the Place to which he was chosen, and did also commend the House of Commons for so discreet and fit a Choice.

Upon which Speech, the Speaker accepting of the said Charge, with all humble acknowledgment of her Majesties grace and favour towards him, did in the conclusion thereof, make these Petitions of course for the House of Commons, and in their Names: That they might have free liberty of Speech, and freedom from Suits and Arrests of themselves and their followers; and that they might have Access to her Majesties Royal Person upon all urgent and important occasions; petitioning also for himself, that if any thing were unwittingly miscarried by himself, the same might not light upon the House, but upon himself, and be pardoned in him.

To which last Speech of the Speakers, the Lord Keeper also, by commandment from the Queen, replied, That her Majesty did well allow thereof; and for his Petitions which concern'd both the House and himself, her Highness was willing that they should enjoy all their ancient and lawful Priviledges; but with this caution, That she did not allow that any man should speak unreverently or scandalously either of the Church or State. And then the Lord Keeper, by the Queens commandment, continued the Parliament until *Saturday* following, being *Feb. 24.*

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Nota, That the aforefaid Speeches are fet down more at large in the Journal of the Paſſages of the Upper Houſe of this Parliament, to which they do more properly belong. And on Friday the Houſe met not.

24.

Saturday, Feb. 24. the Knights, Citizens, and Burgeſſes of the Houſe of Commons did meet in the Lower Houſe about nine of the clock; but by the Clerk of the Parliament it was ſignified, that the Speaker had been ill at eaſe the night paſt, and could not without peril of further ſickneſs adventure to come abroad: wherefore he craved in his name, leave of the Houſe to be abſent that day.

A Petition delivered to the Lord Keeper by Mr. Wentworth, &c. for intailing the Succeſſion to the Crown. The Queen offended at it, cauſes them to be confined.

This day Mr. *Peter Wentworth* and Sir *Henry Bromley* delivered a Petition unto the Lord Keeper, therein deſiring the Lords of the Upper Houſe to be Suppliants with them of the Lower Houſe, unto her Maſteſty, for entailing the Succeſſion to the Crown; whereof a Bill was ready drawn by them.

Her Maſteſty was highly diſpleaſed therewith, after ſhe knew thereof, as a matter contrary to her former ſtraight Commandment, and charged the Council to call the Parties before them. Sir *Thomas Henage* preſently ſent for them; and after ſpeech with them, commanded them to forbear coming to the Parliament, and not to go out from their ſeveral Lodgings.

A Committee appointed for this thing; but few come to it.

About this matter, in the beginning of the Parliament, was a Committee appointed to be had of many wiſe, grave, and antient Parliament-men as were of the Houſe; but at this time few met at the place appointed, at leaſt ſuch men as were expected.

Their Secrets diſcovered by ſome of them to the Privy Council.

It was appointed at this time to Mr. *Stevens* to peruſe the penning of the Petition that ſhould have been delivered to that Houſe, and to have provided a Speech upon the delivery of it; but this office, by reaſon of other occaſions, he could not attend. What other things were done in that Conference, were, as I heard, confeſſed unto ſome of the Privy Council, by ſome of thoſe Parties that were preſent at the Conference. All that were, except thoſe before-named, went free, and were never called in queſtion.

25.

The day after, being *Sunday*, and *Feb. 25.* and the Houſe ſat not; yet the aforeſaid Mr. *Wentworth*, Sir *Henry Bromley*, and ſome others, were called before the Lord *Burleigh* Lord Treasuſer of England, the Lord *Buckhurſt*, and Sir *Thomas Henage*, who intreated them very favourably, and with good Speeches; but ſo highly was her Maſteſty offended, that they muſt needs commit them, and ſo they told them. Whereupon Mr. *Peter Wentworth* was ſent Priſoner to the Tower, Sir *Henry Bromley*, and one Mr. *Richard Stevens* (to whom Sir *Henry Bromley* had imparted the matter) were ſent to the Fleet, as alſo Mr. *Welche* the other Knight for *Worceſterſhire*.

Wentworth and Bromley committed.

26.

On *Munday, Feb. 26.* after the Letany was read (which is the firſt thing done when the Speaker is ſet in his Chair) was read an Act,

An Act, entituled, *An Act for continuing her Majesties Subjects in more due Obedience.* This Bill contained all these Particulars following.

35 Eliz.

A Penal Act.

1. The Party so indicted and convicted, shall forfeit all his Goods and Chattels which he hath in his own right, or in the right of his Wife.

2. He shall forfeit two parts of his Lands, Tenements, and Hereditaments, if he be born under her Highness Allegiance, and of the age of sixteen years.

3. A Feme Covert shall lose her Dowry or Joynture, which she might have by her Baron.

4. If a man match with an Inheritrix, being a Recusant, he shall lose two parts of those Lands to the Queen; and neither of them shall administrate to any man.

5. Such Party being a Recusant, shall be disabled to make any Purchase or Sale of Lands.

6. He shall be disabled to take or make any Lease, either to the use of himself, or to the use of his Wife.

7. A Recusant shall forfeit for keeping any such Recusant-person in his house, either Servant or Stranger, 10*l.* every month, being at one time so long in his house, or at several times in his yard.

8. He shall be barred to bear any Office in the Land, or to practise as Counsellor, Doctor, Solicitor, Proctor, Attorney, or Advocate to the Law.

9. He shall have his Children taken from him, if they be above the age of seven years, and to be disposed of by the Lords of the Council, or the Ordinary, or the Judges of Assizes; and their maintenance to be raised out of the third part of such Recusants Livings.

10. He shall be disenabled to make any sale of any of his Goods or Chattels.

11. If he be a Copyholder, he shall forfeit his Copyhold during his life; whereof two parts is to go to the Queen, and the third to the Lord of the Mannor.

12. If any person be indicted for Recusancy, of malice, he shall have the remedy against the party at the Common Law.

13. If any person, having been a Recusant, shall at any time recant, he shall make his submission in the Parish-Church where he dwelleth, acknowledging the Queens proceedings to be just, and detest the Church of Rome; which he shall also do in open Court before the Judges of Assize.

14. If any such person, after his Recantation, fall into relapse, he shall lose the benefit of the former Recantation for ever.

15. Lastly, there is a Proviso, That those that have already bought any Lands of any that now are or shall be indicted for a Recusant, the Bargain shall be as good, and stand in effect, as if this had never been made.

This Bill upon a Committee, received all these Alterations following; whereupon it came as a new Bill again.

The first Article omitted altogether, being thought too hard.

The

The Penal Bill amended.

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The third. That the women are to lose but two parts of Dowry or Joynture after her Husbands death: The Husband not being a Recusant, to forfeit no part of his Land for his Wives Recusancy.

The fifth. All Sales made by Recusants since 2^o Eliz. of Lands, whereof he taketh the profits, or which Conveyance is to his use, or upon any Trust or confidence, to be void as to the Queen, as for two parts of the Profits to be answered her; and so all Sales hereafter to be made by any Recusant convicted, the Sale being *bona fide*.

The sixth. They shall be disabled to be Justices of the Peace, Mayors, or Sheriffs.

The ninth. Children being ten years, until they be sixteen, to be disposed at the appointment of four Privy Counsellors, the Justices of Assize, the Bishop of the Diocese, Justice of the Peace. And if the third part of the Land suffice not for maintenance, the rest to be levied of the Parents Goods.

The eleventh. Recusants that be Copyholders, to forfeit two parts to the Lord of the Mannor, if the Lord be no Recusant; and if he be, then to the Queen.

The thirteenth. Protesting that he doth not come to Church under colour of any Dispensation or other allowance from the Pope, but for Conscience and Religion.

Sir Robert Cecill.

Cecill's
Speech.

AS I remember, I have been of this House these five Parliaments, and I have not determined to say anything in these Assemblies further than my Cogitations should concur with my Conscience, in saying bare I and No. Give me leave, I pray you, to rehearse an old Saying, and it is in Latine: Nec te Collaudes, nec te Vituperes ipse: For me to do the one, were exceeding Arrogancy; and to do the other, I confess, I hope you will pardon me.

The occasion of this Parliament, which I take to be by that which we received from the honourable and learned Speech of the Lord Keeper, as of and from her Majesty to us, in the Higher House, is for the cause of Religion, and the maintenance thereof amongst us; the preservation of her Majesties most Royal Person, and the good of this Realm our Country.

All which, because they be things of most dear and nearest price, and at this present in exceeding great and eminent danger, it is behoveful to consult of most speedy remedies, which in parcels should proceed from the most wise heads.

The Enemy to these, is the King of Spain, whose malice and ambition is such, that together with the Pope, that Antichrist of Rome; for I may well couple them together, the one being always accompanied with Envy and Prosperity, the other with unsatiable desire, makes them by all means seek the subversion of this State.

But concerning the first, the Cause of God and his Religion, which her Majesty professed before she came on this Royal Seat, which she
hath

bath defended and maintained, and for which cause God hath so blessed her Government ever since her coming to the Crown: yea, while the Crown was scarce warm on her head, she abolished the Authority of Rome, and did set up God's Truth amongst us, and, to her great Renown, made this little Land to be a Sanctuary for all the persecuted Saints of God; whereby the People perceived her Magnanimity, Zeal, and Judgment.

Magnanimity, in understanding so great an Enterprize; Zeal, in professing the same, not of shew, but in sincerity; Judgment, in defending it, and preventing all the Popes designs: He set forth his Bulls and Missives against her Majesty, thereby most unnaturally depriving her of her most natural Right, Duty, and Loyalty, which her Subjects should owe unto her, &c.

Here he touched the many dangers which her Majesty had been in; which, as it caused him to fear to think, so it did cause him to tremble to speak, concerning the danger of our Country; and so the loss of our Lives, Liberties, Wives, Children, and all other Priviledges.

Let me not trouble you with things passed so long, and perhaps beyond my reach; but of things passed of late years, and since 88: whenas we were so secure, and never thought the King of Spain would have set up his Rest for England, then sent he his Navy, termed Invincible, and had almost been upon the backs of us, before we were aware; yea, we were so slack in Provision, that it was too late to make resistance, had not God preserved us; his attempt against us, by seeking to win the Low Countries, and to obtain Ireland; which being but trifles, and partly devices, (which I mean not to trouble you with.) He hath now of late gone about to win France, wherein he hath greatly prevailed, as in Lorain and in other parts, as you have heard; but especially in Britain, having most part of the Port-towns in his possession; whither he still sends Supplies daily, and re-enforceth them every four or five months, which Port is always open, and his men and forces never wanting.

This Province he especially desireth, for it lieth most fitly to annoy us; whither he may send Forces continually, and there have his Navy ready to annoy us: the which he could not otherwise so easily do, unless he had the Wind in a bag. Besides, having this Province, he will keep us from Traffique to Rochel and Bourdeaux, as he doth in the Streights from Tripoly and St. Jean de luze; and so hinder us from carrying forth or bringing in into this Land any Commodities whereby this Realm might be enriched, and her Majesties Impost ever increased, being one of the greatest Revenues of her Crown. He hath also gone about with them of Stode, and the King of Poland, one of his own Faction, and who, by reason he cannot do in that Kingdom what he listeth, he may easily command him to impede or hinder our Traffique in those Eastern parts; which if he could bring to pass, you see how hurtful it would be to this Land.

But, to descend yet more lower, and into these latter Actions, he hath seen it is but a folly to endeavour to make a wooden-bridge to pass into England; therefore he hath found out a more sure way,

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and stronger passage unto it by Land, and that by Scotland; which though it be not talked of at the Exchange, nor preached of at Paul's Cross, yet it is most true, and in Scotland, as common as the Highway, that he hath procured to him many of the Nobility there. It is true, he hath sent thither no Navy; and if he had endeavoured it, her Majesty would not have suffered him: yet do she what she can, some paltry Fly-boat may escape her Majesties good Ships, and carry Gold enough in her to make them Traytors, and stir them to Sedition.

These things her Majesty understood before, and advertised that King thereof; but he not so well conceiving thereof, hath by the effect proved the other true. And unless I be deceived, the last Letter that came from thence the other night, sheweth, that King is gone to make a Road into the North, and to bring Back the Lord Bothwell and the Lord Huntley.

The King of Spain's malice thus dayly increaseth against us, and seeketh also to stir up Sedition amongst us by his Instruments; the number also of Papists dayly increaseth, or at leastwise be more manifested.

My advice is, That you would consult which ways to withstand such eminent dangers, which the greater they be, the sooner they would be looked into and remembered. Wherefore, Mr. Speaker, I desire some Committees should be appointed of the sufficientest and wisest men in the House, to consider thereupon.

Sir John Wooley, to the like effect.

Sir John
Wooley's
Speech.

First saying, That upon the cause of the danger the Realm was now in, and of the remedy, his Speech should consist; which he likened to a natural Body, which the more the principal Member was in danger, the greater means should be used for the preservation thereof. Roan being now made Admiral of France by the League, should say he was a poor Admiral now, but that he doubted not but shortly he should be able to bring such a Navy to Sea, as should terrifie the Queen of England. Also he shewed how the Princes of the Holy League had conspired the Overthrow of this Realm, the Extirpation of Religion, and the Confusion of her Majesty and her Royal Subjects. And he exhorted the House, now the season of the year grows on, which called many of the Knights and Burgesses to be in their Countries, besides the Sicknes being in the Town, so that many of that House knew not whether he lodged in a house infected or not, that they would seek to dispatch and end the Parliament so soon as might be. He also shewed how the Dunkirkers troubled our Fisher-men in small Barques upon the Sea-coasts; and so moved that this matter might be committed to some of the sufficientest in the House.

He also exhorted the House to a speedy agreeing of a Subsidy; which, considering the dangers we were in, and that it was for our own good, as also for her Majesties, he hoped no good Subject but would most willingly agree to it.

Also

Also he shewed, that the Wars which the King of Spain brought upon this Nation, had cost her Majesty a Million of money; but this he avouched, that where it cost her Majesty one, it cost the King of Spain three.

Sir John Fortescue.

They that spake before me, spake sufficiently of the Authors of ours Troubles, and of the great danger which is now eminent upon us, insomuch, that it is come to this point now, Non utrum imperare, sed utrum vivere: I will speak of nothing but that which concerns my Calling. Her Majesty not onely being careful for the preservation of her own Realm, but of her Neighbours also; she hath not onely defended her own Subjects from being invaded, but also hath aided Strangers which wanted money, with whom otherwise it would have gone very ill by this time, and also with our selves; insomuch that the burthen of four Kingdoms hath rested upon her Majesty, and maintained with her Purse, England, France, Ireland, and Scotland. For how could the French King at his first coming to the Crown, have held out against those Leaguers, had not her Majesty assisted him with her men and money? which hath cost her Majesty above 100000 l.: for 'tis well known the French King had not been able to withstand the Duke of Parma's coming into France, had it not been for our English men and money. As for the Low Countries, it stood her Majesty yearly, ever since she undertook the defence of them, in 150000 l. all which her Majesty bestowed, for the good of this Realm, to free us from War at home. Besides, when her Majesty came to the Crown, she found it four Millions indebted; her Navy, when she came to view it, she found it greatly decayed: Yet all this she hath discharged, and thanks be to God she is nothing indebted. And now she is able to match any Prince in Europe; which the Spaniards found, when they came to invade us; yea, she hath with her Ships compassed the whole world, whereby this Land is made famous through all Nations.

She did finde her Navy furnished onely with Iron Pieces, but she hath furnished it with Artillery of Brass; so that one of her Ships is not a Subjects, but rather a petty Princes wealth.

As for her own private Expences, they have been little; in Building, she hath consumed little or nothing; and for her Apparel, it is Royal and Princely, becoming her Calling, but not sumptuous or excessive; the Charges of her house small, yea never less in any Kings time; and shortly, by Gods grace, she will free her Subjects from that trouble which hath come by the means of Purveyors.

Wherefore she trusteth that every good Subject will assist her Majesty with his Purse, seeing it concerns his own good, and the preservation of his estate: for before any of us would lose the least member of his body, we would bestow a great deal, and stick for no cost or charges, how much more ought we in this politick body, whereof not onely a member, but the whole body is in jeopardy, if we do not make haste to the preservation of it? And for these Subsidies

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sidies which are granted to her Majesty now-a-days, they are less by half than they were in the time of Henry the Eighth.

Now, although her Majesty hath borrowed some money of her Subjects, besides her Subsidies, yet hath she truly repaid every one fully. He desired the matter might be put to a Committee to consider of.

Mr. Francis Bacon.

Mr. Speaker,

Mr Francis
Bacon's
Speech.

"**T**Hat which these honourable Personages have spoken of their Experience, may it please you to give me leave like-
"wife to deliver of my common knowledge.

"The cause of assembling all Parliaments, hath been hitherto for
"Laws or Moneys; the one being the sinews of Peace, the other
"of War: To the one I am not privy, but the other I should
"know.

"I did take great contentment in her Majesties Speech the
"other day, delivered by the Lord Keeper; how that it was a
"thing not to be done suddenly, or at one Parliament, nor scarce
"a year would suffice to purge the Statute-book, nor lessen it, the
"Volume of Laws being so many in number, that neither common
"people can half practise them, nor the Lawyers sufficiently un-
"derstand them, than the which nothing would tend more to the
"praise of her Majesty. The *Romans*, they appointed ten men
"who were to correct or recall all former Laws, and to set forth
"those twelve Tables so much of all men commended. The *Athe-*
"*nians* likewise appointed six to that purpose. And *Lewis* the
"the ninth King of *France*, did the like in reforming his Laws.

27.

On *Tuesday, Feb. 27.* a Bill was read, for transporting of Cloath, the first time.

Mr. Morris, Attorney of the Court of Wards.

Mr. Morris's
Speech.

M*Y Religion towards God, my Allegiance to her Majesty, the many Oaths that I have taken for the maintaining of her Supremacy, causeth me to offer to your considerations, matters concerning the sacred Majesty of God, the Prerogative and Supremacy of her Majesty, the Priviledges of the Laws, and the Liberties of us all.*

After some touch upon the usage of Ecclesiastical Discipline by the Prelates, he laid down these three things: Lawless Inquisition, injurious Subscription, and binding Absolution; to which he spake severally, shewing the abuses of the Bishops in every one of them. He delivering the Bill, made this his request, That if the House thought good to receive it, that then they might be Suitors unto her Majesty to have it allowed. The Bill being delivered by Mr. Morris his hand unto Mr. Speaker.

Mr.

Mr. Dalton of *Lincolns-Inne*, stood up and spake with much earnestness against it, saying,

It is hard for me upon a sudden to answer a long premeditated Speech, but as I am able, I will say and shew what I think of the Bill exhibited: It pretends great things in shew, things tending to the hindrance of God's Service, to the derogation of her Majesties Prerogative, to the overthrowing of our Laws, and violating of our Liberties; things great in shew, but no such things to be found in matter spoke against.

It is easie to make of a Mole-hill a Mountain in words; so by a well-compiled Speech, to make a great and dangerous thing of nothing; nay, indeed a thing needless: for that the State hitherto hath always stood upon this Government. And so shewed how the Ecclesiastical Government was distinct from the Temporal. The Reasons he gave were few or none; onely his great dislike was, that having received straight Commandment from her Majesty not to meddle with things concerning the Church and State of this Realm, therefore in his opinion the Bill ought to be suppressed.

Mr. Speaker.

IN favour and in free love, above my merits and deserts, you have elected me to do all my best service, and to be faithful to you. This Bill delivered to me, is long, and containeth important matters of great weight, and such matters as cannot be expressed in few words. It hath many parts; and if you put me presently to open it, I cannot do it as I should: for indeed it is a matter far above my ordinary practice, and so I cannot so readily understand it; and to deliver a thing before I conceive it, I cannot.

Wherefore, if it would please you to give me leave to consider of it, I do profess I will be faithful, and will keep it with all secrecy.

Hereupon it was put to the question, Whether it should be committed to the Speaker onely, or to the Privy Council and him? But it was held to be against the Order of the House, that a Bill should be committed before it was read. Therefore upon a Motion made by Mr. Wroth, it was agreed that Mr. Speaker should keep it.

This afternoon at two of the clock, Mr. Speaker was sent for unto Court; where the Queens Majesty her self gave him commandment what to deliver unto the House.

On Wednesday, Feb. 28. after Prayers, the Bill for Recusants was read. This morning Mr. Morris was sent for to Court, and from thence he was committed unto Sir John Fortescue's keeping. This Bill against Recusants was opened and read by Mr. Speaker, who made fourteen divided parts of the same.

R

Mr.

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Mr. Speaker.

Yesterday a great Member of this House, after a Speech used, and his Reasons laid forth, delivered two Bills unto me; which Bills, though not being read, yet were diversly spoken of. They being long, and the matters grave and of great importance, and the day being almost spent, I desired further time to consider of the parts of the Bill: I humbly thank this honourable House, time was granted me freely, it being almost twelve of the clock.

I have perused and read both of the Bills; I have them about me, and they have been continually with me ever since they were delivered to me; never any man saw them, nor ever any mans eye more than my own ever saw one word of them.

A little after I had perused the Bills, I was sent for by a special Messenger from her Majesty: Coming in her Royal presence, I was commanded to deliver these words from her most excellent Majesty unto the body of the Realm (for so she termed this House:) The matter I have to speak is great, yea it is the greatest matter I ever had to deal in; wherefore I pray God direct mentem & linguam hanc. I must be short, for her Majesties words were not many; and I may perhaps fail in the delivery of them: for though my Auditors be great, yet who is so impudent that the presence of such a Majesty would not appale him & and it did greatly fear me, when I did see none of these honourable persons in her presence who were present at the holding of the matter in this House; yet so God in his providence had appointed it, that even in this while came in some of the persons here present, who, if I fail in delivering what was given me in charge, can report it unto you: and I glad am that there are witnesses with me in this action what was my faithful service for the House.

I protest a greater comfort never beset me, than that this my Integrity and faithful Promise to this House, is not violated; for her Majesty, in her most gracious wisdom, before my coming determined not to press me in this, neither indeed did she require the Bill of me; for this onely she required of me: What were the things spoken of by the House? which points I onely delivered, as they that heard me can tell.

The Message delivered me from her Majesty, consisteth of three things: First, the end for which the Parliament was called. Secondly, the Speech which her Majesty used by my Lord Keeper. Thirdly, what her Pleasure and Commandment now is.

For the first, it is in me and my power (I speak now in her Majesties person) to call Parliaments, and it is in my power to end and determine the same; it is in my power to assent or dissent to any thing done in Parliament.

The calling of this Parliament was onely that the Majesty of God might be more religiously served, and those that neglect this service might be compelled by some sharper means to a more due obedience, and more true service of God, than there hath been hitherto used.

And

The Speaker
delivers the
Queens Mes-
sage to the
Commons.

And further, that the safety of her Majesties Person, and of this Realm, might be by all means provided for against our great Enemies the Pope and the King of Spain.

Her Majesties most excellent Pleasure being then delivered unto us by the Lord Keeper, it was not meant we should meddle with matters of State, or in Causes Ecclesiastical; (for so her Majesty termed them.) She wondered that any would be of so high commandment to attempt (I use her own words) a thing contrary to that which she had so expressly forbidden; wherefore with this she was highly displeased. And because the words then spoken by my Lord Keeper, are not now perhaps well remembered, or some be now here that were not there, her Majesties present Charge and express Commandment is, That no Bills touching matters of State, or Reformation in Causes Ecclesiastical, be exhibited: And upon my Allegiance, I am commanded, if any such Bill be exhibited, not to read it.

On Thursday, March 1. after Prayers read, an Act was read against Strangers born to sell forreign Wares by retail; no Stranger born to do it, except he hath served seven years with an Englishman in the same Trade.

March 1.

Serjeant Telverton.

HE spake concerning the Priviledges of this House. The Burgeses of *Mistard* in *Cornwall* being elected, the Town refused to deliver up their Indenture to the Sheriff; but the Party elected made his Indenture, and delivered it to the Clerk of the Crown, who filed it with the rest of the Indentures returned by the Sheriff, the Sheriff having indorsed it upon his Writ: but this Indenture was never executed by the Sheriff, nor return'd; and yet this Return was held (as it should seem by the Committees) to be good.

Telverton.

Sir Edward Hobby.

THE Party outlawed, is not out of his wits, therefore capable; and then he is a man able to be chosen, and Idoneus to be a Burges; only a difference may be made, where the Outlawry is for a Cause Criminal, and a Cause Personal, as in this Cause. Is this disability greater? then a man outlawed may not be a Burges as well as an Attorney to a man, or as an Executor. And I think it will stand with the Priviledge of the House to deliver him, though he were outlawed.

Sir Edward Hobby.

Mr. Finch.

HE said, he could not tell which to hold, or on which side to speak. The book of 20 Hen. 7. doth prove, that there were elected such as were attainted, and that disability was taken against them. The Writ to chuse a Burges is not *legalem hominem*,

Mr. Finch.

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nem, as in all places, but *Idoneum*; therefore we ought not to be so strict, as if he were to be challenged upon a Jury. At the Common Law, Outlawries was onely for Causes Criminal, as for Treason or Felony; but these Outlawries in Personal Causes, onely by the Statute 11 Hen. 4. not so great a difficulty as that at the Common Law. On the other side, *utlegatus ne villen.* cannot be a Champion, which is as a Judge to decide; then *à Fortiori* he can be no Judge in this House. Outlawry is an Attainder, therefore the Party so stained, is no competent Judge. The great Charter is, all Tryals ought to be *per legales homines, & parum suorum*; the outlawed man is not of the number of *Parium*, and so not to be a Judge. Vide 8 Ed. 3. *utlegatus ne puit estre*, &c.

2.

On Friday, March 2. the old Question touching an outlawed man to be a Burges, was again spoken unto.

Mr. Tanfield.

Mr. Tanfield.

HE held, that a Person outlawed might be a Burges. He made an Exception where the difference of a Burges grew upon matter before the Election, and where after. If the Exception grew after, then a Burges elected must not be out of the House. If Exception be taken to this Election, and this Outlawry now alleadged to disenable him, the Statute of 23 Hen 6. cap. 15. will disenable most of this House; for they ought to be Burgesses resident. Now if this be a good Election, then it follows, that the Party elected is to have his Priviledge. And although the Common Law doth disenable the Party, yet the Priviledge of the House being urged, that prevaieth over the Law.

Sir William Moore.

Sir Will. Moore

FIRST, he shewed, that her Majesty had more cause to have Subsidies, than had Hen. 8. Edw. 6. or Queen Mary: for Hen. 8. Wars continued not, though they were violent: In his time the Wars were impulsive, not defensive; he had the suppression of all the Abbeyes, a matter of great Riches unto him; he had a Benevolence, and then a Subsidy, paid within three months to Sir Geo. Peckham. Edw. 6. had Chauntries, and all the Church-plate for relief, paid him. Queen Mary had a Relief paid her, which she never repaid. But her Majesty that now is, hath been a continual Defence of her own Realms, and her Neighbours France and the Low Countries; yet hath she repaid the Loans, and hath had no such helps.

Sir George Carey.

Sir Geo. Carey.

I Speak for the Subsidy; first answering one that hath said we must regard them and their Estates for whom we be here; saying, he

he regarded and came for them, as was meet: and they will more thank us for taking something from them, than if we should abandon them, and leave them and all that they have, to the spoil of the Enemy; which will be, if with Forces we provide not to withstand them: for eminent dangers hangs over our heads, and are intended to us this Summer.

The Spaniards already have sent 7000 Pistols of gold into Scotland, to corrupt the Nobility; and to the King 20000 Crowns now lately were dispatched out of France into Scotland, for the levying of 3000 men, which the Scottish Lords have promised; and the King of Spain will levy 30000 men, and give them all Pay. Her Majesty is resolved to send Sir Francis Drake to Sea to encounter them with a great Navy; wherefore this our Danger is to be prevented, and these her Majesties infinite Charges supplied by us.

Sir Walter Rawleigh.

HE spake of the Subsidy, not onely, as he protested, to please the Queen, to whom he is infinitely bound above his desert, but for the necessity he both saw and knew: He very well discovered the great strength of the King of Spain; and to shew his mightiness, he told how he possessed all the world, and also that his malice and ill purpose was evident to this Realm. He shewed how on every side he had beleaguered us.

In Denmark, that King being young, he hath corrupted the Council and Nobility so, as it was very likely he would speed himself of Shipping from thence; in the Marine-Towns of the Low Countries, and in Norway, he hath laid in great store of Shipping; in France, he hath the Parliament-Towns at his command; in Britain, he hath all the best Havens; and in Scotland, he hath so corrupted the Nobility, that he had promised them Forces to assist the Papists; that they were ready to joyn with any foreign Forces that would make them strong, to be by themselves, and to resist others: for as he thought, there were not six Gentlemen of that Country to be of one Religion. In his own Country, there is all possible preparing, and he is coming with sixty Gallies besides other Shipping, with purpose, if he goes forward and hath good success, we must then have no Ships, if he invade us riding at Anchor; but all will be little enough to withstand him. At his coming, he fully resolveth to get *Plimouth*, or at least to possess some of the Havens this Summer within our Land, and *Plimouth* is in most danger; for no Ordnance can be carried thither to remove him, the passages will not give leave.

Now the way to defeat him, was this: To send a Royal Army and supplant him in *Britany*, and to possess our selves there; and to send a strong Navy to Sea, and to lie with it upon the *Cape* and at *Lambuck*, to which places comes all his Ships with Riches from all places; and then they may set upon all that comes.

Saturday, March 3. there ensued some discourse touching the Priviledges of the House.

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Sir Walter
Rawleigh.

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4.

5.

Sunday, March 4.

Munday, March 5.

Mr. Beale.

Mr. Beale.

HE desired to satisfie the House, by reason it was conceived by the Lords the other day, that upon his Motion, and by the President he shewed, the House was led to deny a Conference with the Lords: he acknowledged he mistook the Question appointed; for there being but a Conference desired by the Lords, and no confirming of what they had done, he thought we might, and thought fit we should confer: And to this end, he onely shewed the President, That in the ninth year of Hen. 4. the Commons having granted a Subsidy, which the Lords thought too little, and they agreed to a greater; and would have had the Commons to confirm that they had done. This the Commons thought they could not do, without prejudice to their honour: Wherefore he acknowledged himself mistaken in the Question, and desired if any were led by him, to be satisfied, for that he would have been of another opinion, if he had conceived the matter as it was meant.

Sir Robert Cecil.

Sir Rob. Cecil.

I Desire now I may be somewhat long, because I must include an Answer to three Speeches. Those two honourable persons which sit above, the one of them declared the true state of the Question, the other, what was fit we should do; but my Answer shall tend onely to the other Tales that followed.

The first was a kind of satisfaction for a former mistaking, but in the same satisfaction a new mistaking was also; which was by way of information, casting it into the House, that the Queen should seem to demand three Subsidies. Now the Queen never demanded three, nor one: so here is a new mistaking added to the former satisfaction. The second mans Motion thus far I allow, that the Counsels of this House be secretly kept, and that nothing be reported in *Malam partem*; but if his meaning be, that we may not impart any thing that is done here unto the Queen, but that all things must be kept secret from her, I am altogether against it. This onely I should desire, what ought to be observed, that nothing ought to be reported unto her in *Malam partem*. The third mans Motion consisted upon three points: The first, was News; the second, History; the third and last, a Motion. His News was, that mens Names were given up to the Queen; this was News, for I heard it not before. The History was, a large Report of the whole progress of this matter. His Motion was, that we should confer with the Lords about a Subsidy, but not conclude a Subsidy with them. His Motion seems contrary to his meaning, or else is more than ever was meant; for it was never desired of us by the Lords, that we should confer with them about a Subsidy.

Sir

Sir Walter Rawleigh.

HE informed the House, that he thought the Division of the House the last day, to grow upon the mistaking of the Question; and that some had since reported to him, That had the matter been resolved, that onely a general Conference was desired, most of them that sat would not have been against it: Wherefore he desired Mr. Speaker to put it to the question, Whether they should confer with the Lords generally or no, without naming a Subsidy.

Sir Walter Rawleigh.

This Motion being well liked, Sir *Walter Rawleigh* was desired by the House to repeat it again, that so it might be the better heard of them all.

And thereupon he said, That touching the aforesaid Question, which had receiv'd a No upon *Saturday* last, he would not make it a Question again; for by the Order of the House he could not, but propound this for a new Question, in these or the like words.

Whether the House would be pleased to have a general Conference with the Lords, touching the great and eminent dangers of the Realm and State, and the present necessary supply of Treasure to be provided speedily for the same, according to the proportion of the necessity? Which Question being propounded, it was assented unto by all, without any negative voice.

On *Tuesday, March 6.* two Bills had each of them one reading; of which, the second being a Bill for confirming Letters-Patents granted to the Mayor, Sheriffs, Citizens, and Commonalty of the City of *Lincoln*, was read the second time.

6.

Sir *Edward Hobby*, one of the Committees for Returns and Privileges, shewed, that for the Burrough of *Calmesford* in the County of *Cornwall*, one *Richard Leech* was returned to the Sheriff for a Burgess by a false Return; and that afterwards Sir *George Carew* Knight, was returned Burgess by the true Return: and alledging that the said *Richard Leech* offer'd to yield the place to the said Sir *George Carew*, he moved for the Order of this House therein.

And thereupon Mr. Speaker was appointed to move the Lord Keeper in the said Case for his Order, either for his allowance of the said Sir *George Carew* in the place of the said *Richard Leech*, or else in awarding a new Writ for chusing another, at his Lordships pleasure. And so for his Lordships Order in the Case of the Burgess returned for the Burrough of *Southmark*, in the allowance of *Richard Hutton* already returned, or else in awarding a new Writ for chusing another, at his Lordships pleasure. And so also for his Lordships altering the name of *John Dudley* to the name of *Thomas Dudley*, in the return of one of the Burgesses of *Newtown* in the County of *Southampton*, or else to award a new Writ, at his Lordships pleasure.

Divers other Bills were read on this day.

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7.

On *Wednesday, March 7.* Sir *Edward Hobby* moved the Case of *Mr. Fitz-Herbert* his bringing up unto this House by a *Hab. Cor. cum causa*, from the Lord Keeper, sheweth, that he hath moved the Lord Keeper touching the said Writ; and that his Lordship thinketh best, in regard of the ancient priviledges of this House, that a Serjeant at Arms be sent by order of this House for the said *Mr. Fitz-herbert*, at his own charge, by reason whereof he may be brought hither to this House without peril of being further arrested by the way, and the state of his Cause consider'd of and examined, when he shall come hither; which was thereupon well liked and allowed of by this House.

Three Bills had each of them one reading; of which, the second concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, was read the second time.

8.

On *Thursday, March 8.* Mr. Speaker shewed unto this House, that according unto the appointment of this House, he hath attended the Lord Keeper touching his Lordships pleasure for the directing of a new Writ for the chusing of another Burgeſs for the Burrough of *Southmark* in the County of *Surrey*, instead of *Richard Hutton* Gentleman, supposed to have been unduly and indirectly elected: And also for the allowing of *Sir George Carew* Kt. to be Burgeſs for the Burrough of *Camelsford* in the County of *Cornwall*, as truly returned Burgeſs of the said Burrough of *Camelsford* in the said County of *Cornwall*, instead of *Richard Leech* alleadged to have been returned by the said Sheriff, by a false Return made before the said other Return of the said *Sir George Carew*. And also for changing the name of *John Dudley* Esq; returned for the Burrough of *Newtown* in the County of *Southampton*, into the name of *Thomas Dudley* Esq; alleadged to be the same person, in very deed, that should have been returned, and that his name was mistaken, and none living known by the name of *John Dudley*. His Lordships answer and resolution in the said Case was, That the said Returns by the said Burgeſſes of *Southmark* and *Camelsford* should stand and continue according to the Return of the same, without taking notice of any fact therein, or in the Election at all. And that his Lordship would direct another Writ for chusing of another Burgeſs for the Burrough of *Newtown* instead of the said *John Dudley*, and that his Lordship would insert the said Cause of misnomer so as is before alleadged.

Four Bills had each of them one reading; of which, the last being a Bill for confirmation of the assurance unto certain Purchasers of Lands sold by *Sir Richard Knightly* Kt. *Valentine Knightly* and *Edward Knightly* Esquires, was upon the reading the second time, committed to Mr. Serjeant *Yelverton*, *Sir Henry Umpton*, Mr. *Cradock*, and others; who were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

9.

On *Friday, March 9.* the Bill concerning Woollen-cloaths, called *Veſſes*, &c. was upon the second reading committed unto Sir

William

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William Knowls, *Sir John Hart*, Mr. Recorder of *London*, and others; who were appointed to meet on *Tuesday* next in the afternoon, in the Exchequer-chamber.

Sir John Harrington and *Sir Thomas Wilks* were added to the former Committees in the Bill for confirmation of certain assurances unto certain Purchasers of Land sold by *Sir Richard Knightly* Kt. *Valentine Knightly* and *Edward Knightly* Esquires, appointed yesterday.

The Committees in the Bill touching Recufants, nominated upon *Wednesday* the 28 of *February* before-going, are appointed to meet in this House at two of the clock this afternoon.

The Committees also in the Bill for the naturalizing *Samuel Saltingston*, and others nominated on the sixth of this instant *March*, are appointed to meet to morrow at two of the clock in the afternoon, in the Middle-Temple-hall.

Divers Bills were this day read.

On *Saturday*, *March* 10. Mr. *Wroth*, one of the Committees in the Bill against stealing Oxen, Sheep, and Lambs, shewed, that he and the rest of the Committees in the same Bill, have met together and added some Amendments to the same Bill, and offered both the Bill and Amendments to the House; which Amendments being inserted into the Bill by the Clerk of this House, and the same Amendments then also twice read, the Bill upon the Question was ordered to be ingrossed.

The Bill for relief of Jurors, upon Tryals between Party and Party, was upon the second reading committed unto Mr. *Tasborough*, Mr. Recorder of *London*, Mr. *Wroth*, and others; and the Bill was delivered to Mr. *Tasborough*, who with the rest were appointed to meet this day at two of the clock in the afternoon, at Middle-Temple-hall.

Divers other Bills were this day also read.

March 11. *Sunday*.

On *Munday*, *March* 12. Mr. *Lewis*, one of the Committees in the Bill concerning salted Fish and salted Herrings, shewed, That he and the rest of the Committee had taken pains in consideration of the said Bill, and have added a Proviso, and prayed the twice reading of the said Proviso, and that the same Bill and Proviso may be ordered to be ingrossed. Whereupon the said Proviso being twice read, the said Bill and Proviso, after some Speeches both against the said Bill and with it, was upon the Question referred to the former Committees; who were appointed on *Munday* the fifth of this instant *March*, to be considered of in this afternoon of this present day, in the Exchequer-chamber.

The Bill committed for the confirmation of Letters-Patents to the Mayor, Sheriffs, Citizens, and Commonalty of *Lincoln*, and concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, are delivered to *Sir Edward Dimmocke* one of the Committees; and also the Committees names in both the said Bills: And divers Bills read.

T

On

10.

Bill for relief
of Jurors upon
Tryals.

11.

12.

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13.

On *Tuesday, March 13.* the Bill for reducing disloyal Subjects to their obedience, had its second reading.

Mr. Chancellor of the Exchequer brought in a Preamble agreed by the major part of the Committees, to be set down in the Bill for the Subsidies, if this House shall think well to like of it; which Preamble being read by the Clerk of this House, the same was after some Speeches had *pro & con.* committed upon the Question unto Mr. Vicechamberlain, Mr. Chancellor of the Exchequer, Mr. *Broughton*, Mr. *Brown*, and others, to be presently further considered of in the Committee-chamber of this House.

Mr. Attorney-General and Dr. *Ford* brought from the Lords a Bill concerning the Lands of *Henry* late Lord of *Abergaveny* deceased, with a Message also from their Lordships, to desire that a Committee of selected Members of this House may be appointed to have Conference with a Committee of the Lords, touching the continuance of the Statute. It was resolved by the House to assent to such a Committee; and that assent was also delivered in answer to the said Mr. Attorney and Dr. *Ford*, and to attend their Lordships therein, at such time and place as their Lordships should please to signify unto this House, and appoint for that purpose.

Divers Bills were this day read.

14.

On *Wednesday, March 14.* Sir *Edward Hobby*, one of the Committees in the Bill touching Mr. *Stafford*, brought in the Bill with some Amendments; and opening the Effect of the said Amendments to the House, the same Amendments being then also read by the Clerk, it was ordered by the House that the same Amendments should be inserted into the Bill.

The Bill for Mr. *Anthony Coke* had its first reading; Mr. *Richard Lukenor*, one of the Committees in the Bill concerning the lawful deprivation of *Edward Bonner* late Bishop of *London*, brought in the Bill with some Amendments; and opening the contents of the same Amendments unto the House, the same Amendments being then also read to the House by the Clerk, it was ordered by this House, that the said Amendments should be inserted in the said Bill; which was done accordingly.

Divers other Bills were this day also read.

15.

On *Thursday, March 15.* Sir *Edward Dimmocke*, one of the Committees in the Bill for confirmation of Letters-Patents to the Mayor, Sheriffs, Citizens, and Commonalty of the City of *Lincoln*, appointed on *Saturday* the 10th of this instant *March*, brought in the Bill with some Amendments; and opening the same, the said Amendments were afterwards read by the Clerk, and then upon the Question agreed to be inserted into the said Bill accordingly.

Two other Bills had each of them one reading; of which, the latter being a Bill for the better execution of Process, was upon the second reading committed unto Mr. *Lewis*, Sir *Edward Dimmocke*, the Recorder and Citizens of *York*, Mr. Recorder of *London*,

don, and others; who were appointed to meet to morrow in the afternoon in this House.

Divers other Bills were the same day read.

On *Friday, March 16.* the Bill for Mr. *Anthony Coke* was upon the second reading committed to Mr. *Wroth*, Mr. *Dalton*, Mr. *Francis Bacon*, and others; who were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber. And the Bill was delivered unto Mr. *Francis Hastings* one of the Committees.

35 *Eliz.*

16.

Four other Bills had each of them one reading; of which, the last being the Bill for speedy punishment of Felony called petty Larceny, was upon the second reading committed unto Sir *William Moore*, Mr. *Hobard*, Mr. *Sands*, and others; and the Bill was delivered unto Mr. *Hobard*, who with the rest were appointed to meet upon *Tuesday* next in the afternoon in the Exchequer-chamber.

Divers other Bills were this day also read.

On *Saturday, March 17.* *Richard Topcliffe* and *William Bassett* Esquires, Sheriffs of the County of *Darby*, and Mr. *Moore* being of Counsel with Mr. *Bassett*, were heard at large at the bar in this House, in the Case of *Tho. Fitz-herbert* Esq; returned a Member into this House, and now a Prisoner in the custody and charge of the said Sheriffs; and after long hearing of the said Parties, it was in the end resolved by this House, That this House being a House of Record, would take no notice of any matter of Fact at all in the said Case, but onely matter of Record: And that Mr. Speaker, on the behalf of this House, shall move the Lord Keeper of the great Seal of *England*, for return to be made into Chancery of the Writ of *Hab. Corpus cum Causa*, in that Case lately awarded by his Lordship unto the said Sheriff, upon motion to his Lordship from this House in that behalf, according to the purport of the same Writ, with such due expedition as they ought to have done, being *Indilate*, his Lordship will then at the request of this House, assess a good round Fine upon the Sheriff for his Contempt.

17.

Vide concerning this matter on *Thursday 1.* and *Friday 2.* of this instant *March*; and also on *March 30.* and on *April 3.* and *April 5.* following.

Mr. *Thomas*, Posthumus, *Hobby*, shewed, That according to the appointment of this House, he hath moved his brother Sir *Edward Hobby* for the two Bills that were in his hands; viz. the Bill concerning Perpetuities, and the Bill concerning the execution of Process: And that Sir *Edward Hobby* saith, he is a Committee amongst others in both the said Bills, by appointment of this House; and that the same Bills were in that respect delivered unto him by the Clerk of this House; and that albeit he thinketh it reasonable he should be acquainted with the proceedings in the said Bills in the same Committee, as one of the same Committees, yet in regard of the dutiful

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dutiful good will he beareth to the Members of this House, and being loath to offend any of the same, he delivered the same Bills to the said Mr. *Tho. Posthumus Hobby* to be brought into this House accordingly; and so the said Mr. *Thomas Posthumus Hobby* delivered the said Bills.

Divers Bills were this day read.

18.

March 18. Sunday.

19.

On *Munday, March 19.* two Bills had each of them one reading; of which, the first being the Bill concerning Iron-wyer and Iron-wyer-works, was read the first time.

Sir *Francis Hastings*, one of the Committees in the Bill concerning the breadth of Plunkets, Azures, Blues, and other colour'd Cloaths, appointed on *Friday* the 16th of this instant *March*, shewed, That he and the rest of the Committees in the same Bill have met together, and have thought good to make some addition to the said Bill; and opening the Contents thereof to the House, and after praying that the same might be read, it was after the reading thereof, ordered to be inserted into the said Bill.

Divers other Bills were this day read.

20.

A Bill for selling the Gray-fryars in Cambridge. Sidney-Colledge built by virtue of the said Bill.

On *Tuesday, March 20.* three Bills had each of them one reading; of which, the last being touching the sale of the *Gray-fryers* in the Town of *Cambridge*, was twice read, and ordered to be ingrossed: by virtue of which said Bill, the Colledge, now called *Sidney-Colledge*, was built in the said University.

Mr. *Cradock*, one of the Committees in the Bill for the better execution of Process, and against Rescues, committed on *Thursday March 15.* shewed, That he and the rest of the Committees have met together, and upon good considerations have thought good to amend sundry things in the said Bill; and opening to the House the Effects of the same Amendments, the same being read to the House, it was ordered upon the Question, they should be inserted into the said Bill; which was done accordingly.

Divers other Bills were this day likewise read.

22.

The Subsidy passed with great difficulty, by reason of the great sum.

On *Thursday, March 22.* the Bill for the grant of three entire Subsidies, and six Fifteenths and Tenths, was read the third time, and passed upon the Question, That this Bill of the Subsidy, in respect of the greatness of the sum, passed the House with very great difficulties, as it may appear by those several days on which it was agitated; viz. *Feb. 26. March 2, 3, 6, 7, 9, 10, 12, 16, and 19.*

This day the House was called over, and those Members of this House which were then present, did pay into the hands of Mr. *Robert Wroth* and Mr. *Warren*, their charitable Contributions to the relief of the Poor, in such proportion as had been agreed upon *March 19. viz.* every Privy Counsellor of the House 30*s.* every Knight in degree, and every one returned a Knight of a Shire, though not of that degree, and every Serjeant at Law or Doctor of Law (because I suppose they are in some respects accounted equal

Charitable Collection.

equal to Knights) 20 s. every Baron of the Cinque-Ports and every Burges 5 s.

Divers other Bills were also this day read.

On Friday, March 23. two Bills had each of them one reading; of which, the last being concerning Woollen-cloaths and Kerfies made in the County of *Devon*, out of Cities, Towns Corporate, and Market-towns, was upon the second reading committed to Sir *William Moore*, all the Knights and Burgeses of *Norfolk*, *York*, *Surrey*, *Kent*, *Somerset*, *Devon*, and *Cornwall*, Mr. Serjeant *Harris*, and others; and the Bill delivered to Sir *William Moore*, who with the rest were appointed to meet to morrow at two of the clock in the afternoon, in this House.

Mr. Attorney of the Dutchie, one of the Committees in the Bill for Mr. *Anthony Cooke*, shewed, That he and the residue of the Committee in that Bill, have met and had conference together; and that in sundry respects, then open'd by him to the House, they thought good to frame a new Bill; and so offer'd the same new Bill, and pray'd it might be read.

Divers other Bills were this day read.

On Saturday, March 24. the Bill touching Clap-boards and Casks was twice read, and committed to Mr. Treasurer, Mr. *Wroth*, Mr. *Francis Bacon*, Mr. *Finch*, and others; and the Bill was deliver'd unto Mr. Treasurer, who with the rest were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber.

Mr. *Thomas Fane* return'd into this Parliament one of the Barons of the Port of *Dover*, and Mr. *Henry Fane* also return'd into the same Parliament one of the Barons for the Port of *Hyeth*, are licens'd by Mr. Speaker, for their necessary business, to depart.

Divers other Bills were this day read.

March 25. Sunday.

On Munday, March 26. two Bills had each of them one reading; of which, the last concerning Spinners and Weavers, was upon the second reading committed unto Mr. Chancellor of the Exchequer, Sir *William Knowls*, Sir *Moyle Finch*, Sir *Francis Hastings*, and others; and the Bill was delivered to Sir *William Knowls*, who with the rest were appointed to meet to morrow in the afternoon, in the Exchequer.

Mr. Speaker shewed, That he had received a Bill signed by her Majesty for the restitution in blood of Sir *Thomas Parrott* Knight, son and heir of Sir *John Parrott* Knight, deceased, lately attainted of High-Treason; whereupon the Bill of restitution of blood of Sir *Thomas Parrott* Knight, son and heir of the said Sir *John Parrott* attainted of High-Treason, was twice read.

On Tuesday, March 27. Mr. *Fuller*, one of the Committees in the Bill for repealing of a branch of a Statute made 4 & 5 Philip. &

35 Eliz.

23.

24.

An. 1593.

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27.

An. 1593.

Marix, entituled, *An Act for making of Woollen-cloaths*, sheweth the travel of the Committees: whereupon then, after some other Speeches, then moving the House, the said Bill was recommitted to the former Committees; who had been appointed on *Wednesday* the 14th of this instant *March* to meet again this afternoon.

The Bill touching the true and lawful affizing of Bread was read the second time; and upon the doubtfulness of the Voices, whether it should be ingrossed or no, was upon the Question, upon the division of the House, rejected with the difference of twenty seven Voices, *viz.* with the Yeas sixty five, and with the Noes ninety two.

Divers other Bills were this day read.

28.

March 28. being *Wednesday*,

The Bill for renewing, continuing, explanation, perfecting, and enabling of certain Statutes, was twice read, and committed to the former Committees, and unto Mr. *William Hingham*, Mr. *Doughty*, Mr. *Rotherham*, Mr. *Finch*, Mr. Attorney of the Dutchie, the Barons of the Cinque-Ports, Mr. *John Hare*, Mr. *Penrudeck*, and Dr. *Cesar*; and the Bill was delivered unto Mr. *Wroth*, one of the former Committees, who with the rest were appointed to meet in this place at two of the clock in the afternoon.

Sir *Robert Cecil*, one of the Committees in the Bill for the relief of poor maimed Souldiers, shewed, That the Committees had met together, but in the effect, upon sundry reasons shewed unto them by divers of them in the said Committee to contrary effects, they could come to no conclusion, but rather to a confusion upon the points of the matter. For his own private part, he said in the end, That as this House had committed the Bill unto him, and the residue of the said Committees, so had he thought good to commit the same Bill to Prison, rather than to return the same to this House in the same form or no better state than they did before receive it.

Divers other Bills were this day read.

29.

On *Thursday*, *March* 29. Mr. *Broughton*, Mr. Attorney of the Dutchie, Sir *Thomas Dennis*, Sir *Francis Godolphine*, were added to the former Committees in the Bill for the Haven of *Plimouth*; and appointed to meet at two of the clock in the afternoon this present day.

The Bill concerning the Haven at *Colchester*, and the paving of the said Town, was upon the second reading committed to Mr. Vicechamberlain, the Burgesses of *Colchester*, Mr. *Grimston*, and others; and the Bill was delivered unto Mr. *Wroth* one of the said Committees, who with the rest were appointed to meet at two of the clock this afternoon, in the Exchequer-chamber.

Divers other Bills were this day read.

30.

On *Friday*, *March* 30. Mr. *Broughton* and Mr. *Dier* were appointed to attend the Lord Keeper touching the return of the *Hab. Cor. cum Causa*, for the bringing up of the body of *Thomas Fitz-herbert* Esquire.

Vide

35 Eliz.

Vide concerning this matter on the first day, the second day, and the 17th day of this instant *March*; and also on *April* 3. and 15. following.

The Amendments in the Bill for the continuation, explanation, and confirmation of the Queens Majesties Title to the Lands and Tenements late of Sir *Francis Englefield* Knight, being twice read to the House, and the Bill it self and the Amendments read the third time also, passed upon the Question.

Divers Bills more were this day read.

On *Saturday, March* 31. the Bill for confirmation of Subsidies granted by the Clergy, was read the first time, and passed upon the Question.

31.
The Clergies
Subsidy con-
firmed.

The Bill touching Calks, brought in with more Amendments by Mr. *Wroth* one of the Committees; and the same Amendments being twice read, the Bill upon the Question was ordered to be ingrossed.

Divers other Bills were this day read.

April 1. *Sunday*.

April 1.

On *Munday, April* 2. the Bill concerning Woollen-cloaths called *Devonshire Kerlies*, was upon the second reading committed to the Knights and Burgeses of *Devon*, Mr. Serjeant *Harries*, Mr. *George Moore*, and others; and the Bill was delivered to Sir *Thomas Denny* one of the same Committees, who with the rest were appointed to meet at two of the clock this afternoon, in the Exchequer-chamber.

2.

Six Bills were sent up to the Lords by Mr. Treasurer and others; of which, the first was the Act for confirmation of the Subsidies granted by the Clergy, and another touching the Lands of Sir *Francis Englefield* Knight.

Divers other Bills were this day read.

On *Tuesday, April* 3. the Bill concerning Spinners and Weavers was twice read, and committed to the former Committee; and Mr. *Wroth* and the Burgeses of *York* and *Norwich* were added to them.

3.

Sir *Thomas Dennis*, one of the Committees for *Devonshire Kerlies*, shewed the meeting of the Committees, and that they had in some few things amended the Bill, praying the reading of the Amendments; which being twice read, the Bill upon the Question was ordered to be ingrossed.

Divers other Bills were this day read.

On *Wednesday, April* 4. Mr. *Barker*, one of the Committees in the Bill concerning Spinners and Weavers, shewed the meeting and travels of the Committees, and their Amendments of the Bill, praying the reading of the same; which being read, and ordered to be

4.

An. 1593.

be inserted by the House into the Bill, the same Amendments were twice read, and the Bill upon the Question was ordered to be ingrossed.

Mr. Wroth, one of the Committees in the Bill concerning Brewers, shewed the meeting and travel of the Committees, and their Amendments of the said Bill, and prayed the reading of the said Amendments; which being read, and ordered by the House to be inserted into the said Bill, and also twice read, upon the Question the Bill was ordered to be ingrossed.

The Bill for explanation of a branch of a Statute made in the 23 year of her Majesties Reign, entituled, *An Act to retain the Queens Majesties Subjects in their due Obedience*, with some Amendments to the same, was read the second time; upon which divers Speeches in the House passed before the said Bill was committed, some of them being of very good moment; which because they are omitted in the original Journal-book it self, is therefore supplied out of the Anonymon Journal, mentioned at the beginning of this present Journal, in manner and form following.

Sir Thomas Cecill, Dr. Lewyn, Mr. Sands, Sir Thomas Henage, Sir Edward Dymmocke, and some others, spake diversly to this Bill touching the explanation of a branch of the Statute made Anno 23 Regine, for reducing disloyal Subjects to their Obedience, as is aforesaid.

Sir Walter
Rawleigh.

Sir Walter Rawleigh said, *In his conceit the Brownists are worthy to be rooted out of a Common-wealth; but what danger may grow unto our selves, if this Law passes, it were fit to be considered: For it is to be feared, that men not guilty will be included in it; and that Law is hard that taketh Life, or sendeth into Banishment, where mens intentions shall be judged by a Jury, and they shall be Judges what another man meant: But that Law that is against a Fact, that is just; and punish the Fact as severely as you will.*

If two or three thousand Brownists meet at the Sea-side, at whose charge shall they be transported? or whither will you send them? I am sorry for it; I am afraid there is neer twenty thousand of them in England; and when they are gone, who shall maintain their Wives and Children?

Divers other Bills were this day read.

5. On Thursday, April 5. the Bill for the true affizing and marking of Timber, was read the second time, and committed to Mr. George Moore, Mr. Dalton, Mr. Wroth, Sir John Hart, and others; and the Bill was delivered unto Sir John Hart, who with the rest were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

Mr. Serjeant Owen and Mr. Powle brought in from the Lords an Act for explanation of the Statute made 34 Hen. 8. as well touching Grants made to his Majesty, as for confirmation of the speedy Letters-Patents made by his Highness to others; and did pray from their Lordships the speedy execution of the same.

Mr.

Mr. Vicechamberlain, one of the Committees with the Committees of the Lords in the Bill for reviving, continuing, explanation, and perfecting of certain Statutes, sheweth the meeting and conference with the Committees of the Lords; and that their Lordships have thought good to adde some small Amendments to the said Bill, and a Proviso also for her Majesties Prerogative in point of transportation of Corn, as the like whereof was in the Statute of the 13 of her Reign.

Nota, That the business so much before agitated touching Mr. *Fitz-herbert*, received this day the final resolution of this House, as is plainly set down in the often-before-cited Anonymon-Journal more particularly mentioned in the beginning of this present Journal, although it be wholly omitted in the original Journal-book; which said Case was singly thus:

Thomas Fitz-herbert being elected a Burgess of the Parliament, two hours after his election, and before the return of the Writ to the Sheriff with an Indenture of his Election, the said Sheriff arresteth him upon a *Capias utlegatum*, after Judgment, at the Queens suit, (as may be collected out of the reasons given of their said resolution;) and then his Indenture was returned unto the Sheriff.

Upon all which matters, there grew two Questions: First, whether the said Mr. *Herbert* were a Member of the House? and secondly, admitting he was, Whether he ought to have priviledge? Which said matter having been much formerly debated on the 1, 2, 17. and 30. days of *March* last, as also on the 3. instant, received now at last the Judgment of the House; which is inserted out of the afore said Anonymon-Journal-book.

Divers Bills were this day read.

On *Friday, April 6.* two Bills had each of them one reading; of which, the second being the Bill for restraint of new buildings, converting of great houses into several Tenements, and for restraint of Inmates and Inclosures in and neer unto the Cities of *London* and *Westminster*, was upon the second reading committed unto all the Privy Counsellors of this House, the Knights and Burgesses of *London*, Mr. *Francis Bacon*, and others; and the Bill was delivered unto Mr. *Wroth* one of the said Committees, who with the rest were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber.

The Bill concerning *Devonshire* Kersies was read the third time, and passed upon the Question.

Divers other Bills were this day read.

On *Saturday, April 7.* the Bill concerning Coopers was upon the second reading committed unto Mr. Serjeant *Harries*, Mr. *Dalton*, Mr. *Wroth*, and others; and the Bill was delivered unto Sir *John Hart* one of the said Committees, who with the rest were appointed to meet at two of the clock this afternoon, in the Exchequer-chamber.

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The Bill for naturalizing of Justice *Dormer* and *George Sheppie*, was upon the second reading ordered to be ingrossed.

Mr. *Finch*, one of the Committees in the Bill for the avoiding of deceits used in the making and selling of the twice-laid Cordage, and for the better preserving of the Navy of this Realm, shewed the meeting of the Committees, and some few Amendments to the Bill; which being read and allowed by the House, the said Amendments were twice read; and the Bill and the said Amendments also read the third time, passed upon the Question.

Divers other Bills were likewise this day read.

8.

April 8. Sunday.

9.

On *Munday, April 9.* *Westlen Webben* Beer-brewer, and *John Lightbonne* Serjeant at Mace, Prisoners at the bar, after admonition given them by Mr. Speaker, were discharged of their Imprisonment, paying their Fees.

Mr. Chancellor of the Exchequer, one of the Committees in the Bill for explanation of a Statute made 34 *Hen. 8.* as well touching Grants made to his Majesty, as for confirmation of Letters-Patents made by his Majesty to others, shewed the meeting of the Committees, and that they had considered of some small Amendments: and shewed further, that four several Provisoës were offered to them; one by Mr. *Adams*, one by *Tipper*, one by — and one by *Daws*: and so offered in both the Bills the Amendments, and the said four Provisoës, leaving the same to the further consideration of the House.

Divers other Bills were read this day.

April 9. Sir *John Hart*, one of the Committees in the Bill concerning Coopers, brought in the Bill again as not dealt in by the Committee, for lack of convenient time.

The Bill for restraint of new buildings, converting of great houses into several Tenements, and for restraint of Inmates and Inclosures neer unto the Cities of *London* and *Westminster*, with one Amendment to the said Bill, was sent up to the Lords by Mr. Treasurer, Sir *John Woolley*, and others; with a Remembrance to move their Lordships for sending down of the Bill for grant of three entire Subsidies, and six Fifteenths and Tenths, granted by the Temporality; to the end Mr. Speaker may this afternoon present the same unto her Majesty according to the former accustomed usage of this House.

Mr. Serjeant *Owen*, Mr. Attorney-General, and Mr. *Powle*, brought down from the Lords an Act, entituled, *An Act for the Queens most gracious general and free Pardon.*

Divers other Bills were this day read.

This Afternoon the Parliament was dissolved.

A Journal of such things as passed in the Upper House of Parliament, in the Parliament that held Anno xxxix^o Eliz. Reginae, and began October 24. in the same year, and ended February 9. following.



Nno Dom. 1597. & Regni Eliz. Reginae 39. die Lune 24. Mensis Octob. Inchoatum est Parliament. Westmonasterii in Domo consuet. quo die Regina & diversæ Domini tam Spiritual. quam Temporal. viz. Archiepiscopus Cant. Tho. Egerton Miles Dominus Custos Magni Sigilli, Dominus Burleigh Dominus Thesaurarius Angliæ, Marchio Winton,

Comes Suffex Magnus Marescall. Comes Nottingham Magnus Scenescall. eight other Earls, one Viscount, fifteen Bishops, and twenty three Barons, were present; whose Name are particularly set down in the Journal-book.

Die 24. die Octob. viz. primo die hujus Parliamenti, introduct. est Breve quo Archiepiscopus Ebor. presenti Parlamento interesse summonibatur, & admissus est ad suum præheminencie sedendi locum, salvo jure alieno. Consimilima Brevia introduct. sunt 4 Comitibus, 10 Episcopis, & 5 Baronibus.

Oct. 24.

The Lord Keeper, by the Queens commandment, delivered to both Houses the Causes that moved her Majesty to summons this Parliament.

The Lord Keeper's Speech.

THE Queens most excellent Majesty, my most gracious and dread Sovereign, hath commanded me to declare unto you, my Lords and others here present, the Causes which have moved her Highness to summons this Parliament at this time; which before I can expresse, I must confess truly, that the Royal presence of her Majesty, the view of your Lordships and this honourable Assembly, together with the consideration of the weightiness of the service, and of my own weakness, doth much appale me, and cause me to fear.

Lord Keeper's Speech.

Wherefore, if either through fear I forget, or through the many wants and imperfections which I have, I fail to perform that duty which is required, I do most humbly crave pardon of her Majesty, and beseech your Lordships to bear with me.

The

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The great Princely Care which her Highness now hath, as heretofore she hath ever had, to preserve her Kingdoms in Peace, and safe from all forreign Attempts, hath caused her at this present to assemble this honourable and great Council of her Realm, to advise of the best and most needful means whereby to continue this her peaceable and happy Government, and to withstand the malice of her mighty and implacable Enemy; which hitherto, by the space of many years, through her provident and Princely wisdom, hath been performed, to the great and inestimable benefit of her Subjects, as that the simplest amongst them could not but see, and the wisest but admire their happiness therein; the whole Realm enjoying Peace in all security, when our Neighbour-Countries have been torn in pieces, and tormented with cruel and bloody Wars.

This her Majesty is pleased to ascribe to the mighty power and infinite mercy of the Almighty: And therefore it shall well become us all, most thank-fully upon the knees of our hearts, to acknowledge no less unto his holy Name; who of his infinite goodness still preserve her Highness, and send her many years more over us in all happiness to reign.

In this her blessed Government her Highness chief care and regard of all, hath been of the honour and service of the Almighty God, that true Religion might be planted and entertained in the hearts of her People through all the parts of her Realms; and as well in that behalf, as for the peace and benefit of her Subjects, she hath from time to time established many good Laws to meet with the Disorders, and to punish the offences of wicked and ungodly men, that continuing in their bad ways, they may not be hardened and go forward in their wickedness: for Mora in peccato, dat incrementum sceleris. And whereas the number of the Laws already made are very great, some also of them being obsolete and worn out of use; others idle and vain, serving to no purpose; some again over-heavy and too severe for the offence; others too loose and slack for the faults they are to punish; and many of them so full of difficulties to be understood, that they cause many controversies and much trouble amongst the Subjects:

You are to enter into a due consideration of the said Laws; and where you finde superfluity, to prune and cut off; where defect, to supply; and were ambiguity, to explain; that they be not burthensome, but profitable to the Common-wealth: Which being a service of importance, and very needful to be required, yet as nothing is to be regarded, if due means be not had to withstand the malice and force of those professed Enemies which seeks the destruction of the whole State,

This, before all, and above all, is to be thought of, and with most endeavour and care to be provided for: for in vain are Laws made, and to little purpose will they serve, be they never so good, if such prevail as go about to make a Conquest of the Kingdom, and destruction of the People.

Wars heretofore were wont to be made either out of Ambition to enlarge Dominions, or out of Revenge to requite Injuries; but this against us is not so; In this the holy Religion of God is sought to be

39 Eliz.

be rooted out, the whole Realm to be subdued, and the precious life of her excellent Majesty to be taken away; which hitherto, by the powerful hand and great goodness of the Almighty, have been preserved, maugre the Devil, the Pope, the Spanish Tyrant, and all the mischievous designs of all her Enemies.

Wherefore it is high time that this be looked into, and that no way be left unsought, nor means unused, that may serve for defence thereof. Her Majesty hath not spared to disburse a mass of Treasure, and to sell her Land for the maintenance of her Armies by Sea and Land, whereby, with such small helps as from her Subjects hath been yielded, she hath defended and kept safe her Dominions from all such forcible attempts as have been made; which being still to be performed by infinite Charge, her Majesty notwithstanding hears of nothing more unwillingly than of Aids and Subsidies to be received from her People; though what she doth receive, she doth carefully bestow, and infinitely more of her own.

The Taxations at this day, howsoever they seem, are nothing so great as heretofore in the Reigns of former Kings they have been. In the times of Edw. 3. and the two next before him, and those three which succeeded next after him, the payments of the Commons then did far exceed any that have been since her Majesties Reign; which is of Record in the Histories of those times to be seen: but never cause so great to employ great sums of money, as now.

Now therefore you are to consider how to provide needful and convenient Aid, in some measure, to maintain and support her Majesties Charge which at present she is at, and is to continue at, for the defence of the Realm. He cannot be well advised, which in this case will not be forward to contribute and bestow whatsoever he hath: for if with the Common-wealth it goes not well, well it cannot be with any private or particular person. That being in danger, he that would seek then to lay up Treasure and enrich himself, should be like to him that would busie himself to beautifie his house, when the City wherein he dwelleth is on fire; or to him that decketh up his Cabin, when the Ship wherein he saileth is ready to sink. To spare in that case, is to spare for those which seek to devour all; and to give, is to give to our selves. Her Majesties part being onely carefully to bestow what is delivered into her hands, wherein men performing their duties, there is no cause at all to fear: for the War is just; it is in defence of the Religion of God, of our most gracious Sovereign, of our Native Country, of our Wives, Children, Liberties, Lands, Lives, and whatsoever we have.

Wherefore, not mistrusting your forwardness, that I may not offend in too much enlarging this point, as a poor Remembrancer to her Majesty, I shortly say to your Lordships, Quod justum & necessarium est; nothing can be more just, than this War; nothing ought to seem more necessary, than carefully to provide due Maintenance for the same. And, to you of the House of Commons, that you may orderly proceed, and wisely consult of these weighty Causes delivered unto you, her Majesties pleasure is, You should, according to your accustomed manner, go down to the Lower House, and there make choice of some grave, learned, and wise man amongst you, to be

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your

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your Speaker ; who shall be for understanding sufficient , and for discretion fit, as your mouth to signifie your minds, and to make your Petitions known unto her Highness ; and him upon Thursday next to present in this place.

The Lord *Burgh.* was absent, being the Lord Deputy of *Ireland.*

The Lord *De-la-ware* was absent, because he made question of his place, intending to make suit to the Parliament concerning the same.

Dominus Custos Magni Sigilli, ex mandato Dominae Reginae, continuavit praesens Parliamentum usque in diem Jovis prox. futur. viz. 27^o diem Octobris.

27.

On *Thursday, Octob. 27.* the Queens Majesty, the Archbishop of *Canterbury*, Sir *Thomas Edgerton* Kt. Lord Keeper of the Great Seal, the Lord *Burleigh* Lord Treasurer, the Marquis of *Winton*, the Earl of *Suffex* great Marechal, the Earl of *Nottingham* Mag. *Seneschall.* six Earls, one Viscount, thirteen Bishops, the Lord *Hunsdon* Chamberlain, and twenty two other Barons present.

Serj. Yelverton chosen Speaker.

Mr. Serjeant *Yelverton*, being chosen Speaker of the Lower House, was by divers Knights, Citizens, and Burgesses, brought into the Upper House, and by the hands of Sir *William Knolls* Controulor of her Majesties Household, and Sir *John Fortescue* Chancellor of the Exchequer, presented to her Majesty ; who by a Speech full of Gravity and Modesty, signifying the accomplishment of the duty of the House in making an Election ; but he excusing himself by pretence of many disabilities and imperfections, and wishing earnestly that he were of sufficiency to perform the duty of that Place, made humble suit to her Majesty that he might be discharged, and that the Lower House might proceed to a new Election.

Excuses himself.

Is allowed & commended by the Queen.

Which Excuse was not allowed by her Majesty, as the Lord Keeper delivered by answer ; and the Choice of the said Mr. *Yelverton* being by her Majesty very well approved, and his Sufficiency much commended,

Petitions for the House in the usual form.

He then proceeded in another Speech, according to the manner, to undertake that Charge and Place, and to present unto her Majesty, on the behalf of the Lower House, certain humble Petitions, viz. For Access unto her Majesty : For the using and enjoying of such Liberties and Priviledges as in former times had been granted and allowed by her Majesties Progenitors and her self.

Which are granted.

Whereunto her Majesty making answer, by the Lord Keeper, did yield her gracious assent, with admonition that the said Liberties and Priviledges should be discreetly and wisely used, as was meet.

Dominus Custos Magni Sigilli, ex mandato Dominae Reginae, continuavit praesens Parliamentum usque in diem quintum mensis Novembris.

On

39 Eliz.
Nov. 5.

On Saturday, 5 Novembris, *introducitur* est Breve Thome Dom. Grey de Wilton, quo presenti Parlamento interesse *summonebatur*, & *admissus* est ad *summum* *præheminencia* sedendi in Parlamento loco, *salvo jure alieno*.

The Petition of the Lord *De-la-ware*, presented to this House for restitution of the same place in the Parliament which his Ancestors had in the Rank and Order of the Barons, and referred to Committees, *viz.* to the Lord Treasurer, the Earl of Nottingham Lord Admiral, the Earl of *Shrewsbury*, Lord Bishop of London, Lord Bishop of *Winton*, Lord *Zouche*, Lord *Stafford*, Lord *Windsor*, Lord *Sheffield*, Lord *North*, Lord *St. John* of *Bletsoe*, Lord *Buckhurst*, Lord Chief Justice of the Common-Pleas, Lord Chief Baron, and *Edward Coke* Esq; the Queens Attorney; who appointed to meet at the Council-chamber at the Court at *Whitehall*, on Sunday, Nov. 6. at two of the clock in the afternoon.

Munday, Nov. 7. An Act for the speedy satisfaction of her Majesty against Accomptants, *secunda vice lect.* and committed to the Lord Archbishop of *Canterbury*, the Lord Treasurer, the Lord Admiral, three Earls, three Bishops, three Barons, the Lord Chief Justice of *England*, Mr. Baron *Ewens*, and Mr. Attorney General, to attend their Lordships; and appointed to meet at the little Council-chamber in *Whitehall*, to morrow at four a clock in the afternoon.

7.

Introducitur est Breve Com. Derby, quo presenti Parlamento interesse *summonebatur*, &c.

On Thursday, Nov. 10. the Lord Treasurer made Report to the House, what had been done by the Committees upon the Petition of the Lord *De-la-ware*; and how it was resolved by them, upon hearing and debating the matter with certain learned Counsel in the Law brought before the said Committees by the said Lord, That the Place which he claimed in the Order and Rank of the Barons, was due unto him, *viz.* next after the Lord *Willoughby* of *Ersby*: which Report being made to the House, and the Voices of all the Lords being demanded, the Opinions of the Committees was allowed by the consent of all the Lords (the Lord *Willoughby* onely excepted:) And the Lord Keeper was desired to acquaint her Majesty with the Determination of the House, and to know her pleasure concerning the same.

10.

The Lord Treasurer made a Motion to the House, that forasmuch as the Journal-books kept heretofore by the Clerk of the Parliament, seemed to have some Errours in them in misplacing the Lords, so as it was doubted how the same might be of true Record, That it would please their Lordships to take order that the said Books that should from henceforth be kept by the Clerk of the Parliament, may be viewed and perused every Parliament by certain Lords of the House, to be appointed for that purpose; and the List of the names of the Lords, in their order, to be subscribed by them, taking unto them, for their better information, the King at Arms; and that this Order might begin this present Parliament. On

The Treasurers
Motion about
the Journal-
book.

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12.

A Bill against
the benefit of
Clergy for such
as take away
women against
their wills.

14.

On *Saturday*, Nov. 12. the Bill for taking away the benefit of Clergy from Offenders, against a Statute made *Anno 3 Hen. 7.* concerning the taking away of women against their wills, was read *secunda vice*.

On *Munday*, Nov. 14. the Lord Treasurer moved the House, that such Lords as were absent from the Parliament, and had not sent their Proxies; and such others as had made their appearance at the beginning of the Parliament, and have since neglected their attendance, may be admonished to reform the same.

Upon the same day, upon the Petition of the Lord *De-la-ware*, exhibited to her Majesty concerning his place in the Order of the Barons of the Parliament, and with her Majesties commandment and direction presented unto the Lords Spiritual and Temporal in this present Parliament the fifth of this instant *November*, and referred the same day upon the reading unto Committees, (as is recorded in the Session of the same day;) the said Committees having at the time and place appointed assembled themselves, and advisedly considered of the said Petition, and of all Arguments that were brought and alleadged both for the Petition and against it, did resolve and determine, That in their opinions the said Petition of the said Lord *De-la-ware* was just, and that the Place which he sought, was due unto him, *viz.* to have his place betwixt the Lord *Willoughby* of *Ersby*, and the Lord *Berkley*; being the same place which his great Grandfather had held before, as appeareth by Record. Of which Resolution and Determination, Report having been made by the Lord *Burleigh* Lord Treasurer, first of the Committees, the tenth of this instant *November*, in the Session of the same day, as before is recorded, and the same being allowed and approved of by the consent of the Lords Spiritual and Temporal then present in the House; it was thought meet, and ordered, That her Majesty should be acquainted by the Lord Keeper with the Opinion and Resolution of this House: Which having been performed by his Lordship, her Majesty having allowed of the proceedings of this House, and of the determination of the Question touching the place of the said Lord *De-la-ware*, as hath been declared to this House by the Lord Keeper, it was and is agreed and ordered by her Majesty, and the Lords Spiritual and Temporal, That the Lord *De-la-ware* should be brought into the House, and placed in the room and order before mentioned, to have place and voice betwixt the Lord *Willoughby* and Lord *Berkley*; which was accordingly done this day.

The Lord *De-la-ware* was brought in his Parliament-robcs unto the place aforesaid, by the Lord *Zouch*, supplying the place of the Lord *Willoughby*, and by the Lord *Berkley*, in their Robes, Garter the King of Arms attending them, and doing his service according to his Office.

15.

On *Tuesday*, Nov. 15. an Act for the taking away the benefit of Clergy from Offenders, against a Statute made 3 *Hen. 7.* concerning the

the taking away of women against their wills unlawfully, together with the Proviso annexed unto it, by the consent of the House was read.

39 Eliz.

On Saturday, Nov. 19. the absence of the Lord Marquis of Winton, and the Earl of Huntingdon, severally excused by two of the Temporal Lords; and the like Excuse delivered by the Bishop of Norwich for the Bishop of Chichester's absence.

19.

Report was made by the Lord Keeper, that the Earl of Essex received not his Writ of Summons until the 17th of this month, through the negligence of the Messenger to whom the same was delivered; and now his Lordship wanting health to give his attendance, desired to be excused for his absence, the Earls of Worcester and Southampton testifying of his sickness.

Introducitur Breve Richardi Dom. Ewe, quo presentis Parliamento interesse summonebatur, & admissus est ad locum prebeminencie sedendi in Parlamento, salvo jure alieno.

On Munday, Nov. 21. a Bill for the confirmation of the deprivation of divers Bishops, in the beginning of her Majesties Reign, was read.

21.

On Tuesday, Nov. 22. a Bill formerly sent to the Commons, with a Proviso from this House thereto added, concerning taking away of Clergy from Offenders that take away women against their wills unlawfully, expedited.

22.

The Committees upon the Bill of Tellers and Receivers, meeting at the little Chamber near the Chamber of the Parliament-prefence, and conferring on the Bill and the Provisoes that were thought on and came in question amongst them, by reason of sundry doubts that were moved, did refer the Bill to her Majesties Attorney-General to be reviewed.

On Thursday, Nov. 24. an Act for the better explanation and execution of the Act made in the thirteenth year of the Queens Majesties Reign, concerning tellers and Receivers, *prima vice lect.* This Bill was renewed by Mr. Attorney-General, by the appointment of the Committees to whom the former Bill was referred, as is mentioned in a Note in the last Session, and brought instead of the former Bill.

24.

On Saturday, Nov. 26. an Act for the explanation and execution of an Act in the thirteenth year of the Queens Majesties Reign, concerning Tellers, Receivers, &c. *secunda vice lect.* and commanded to be ingrossed.

26.

A Serjeant at Arms to be sent for one Winwood, and one Steven-son a Serjeant at Mace of London, who arrested Edward Barston the Lord Chandois servant, contrary to the Priviledge of the House.

A Serjeant at Arms sent to take a City-Serjeant into custody.

The Bill for repeal of a Statute made 23 of her Majesties Reign, entituled, *An Act for the increase of Mariners and maintenance of Navigation*, was brought into the House by the Committees, with

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an Amendment thought fit to be put into the Bill, the Amendment thrice read, and appointed to be fixed in the Schedule of the Bill.

28.

On *Munday*, Nov. 28. the Bill that was sent from the Lower House with this Title, viz. an Act for the repeal of a Statute made in the 23 year of her Majesties Reign, entituled, *An Act for the increase of Marriners and maintenance of Navigation*, was after the third reading returned again to the said House, for their consideration and allowance as well of another Title thought more fit by the Committees to be given thereto, viz. an Act for the increase of Mariners, and for maintenance of Navigation, repealing a former Act made 23 of her Majesties Reign, bearing the same Title; as also of some Amendment in the body of the Bill added by the Committees, sent by Mr. Attorney-General and Dr. *Carew*.

Decem. 1.

On *Thursday*, Decemb. 1. the Parties that arrested the Lord *Chandois* servant, viz. *Wood* and *Stevenson*, with two others, brought into the House by the Serjeant at Arms, and upon some notice taken of the matter, Mr. Justice *Owens* and Mr. Serjeant *Drew* were appointed to examine the same, and make Report thereof to the Lords.

The Lord *Hunsdon* Lord Chamberlain, took his place this day as Baron of *Hunsdon*, betwixt the Lord *Chandois* and Lord *St. John* of *Bletsoe*.

This day an Act concerning the School at *Sownocke*, *tertia vice lect.* and sent to the Commons House.

3.

On *Saturday*, Decemb. 3. An Act for the increase of Mariners, and for maintenance of Navigation, repealing a former Act made 23 of her Majesties Reign, bearing the same Title; which Act was sent to the Lower House from hence, for their consideration and allowance of this Title, and some Amendments in the body of the Bill.

Upon the Report of Mr. Justice *Owens* and Mr. Serjeant *Drew*, unto whom the Examination of the matter was committed concerning the Arrest of my Lord *Chandois* servant, by one *Stevenson* a Serjeant in *London*, at the Suit of one *William Wood*, being found and judged to have wilfully offended therein against the Privilege of the House, were committed and sent to the Prison of the *Fleet*, there to be kept close Prisoners until further directions from the Lords. And whereas ----- and ----- were this day brought into the House before the Lords, as supposed partakers in the same offence, they upon examination being found not to have wilfully committed any fault therein, were dismissed, and order given by the Lords for the discharge of *Edward Barfton* out of the Prison of the *Counter*.

L. Chandois
servant Bar-
fton released
out of Prison.

5.

Munday, Decemb. 5. an Act for the better and safer recording of Fines to be levied in the Court of Common-Pleas, read *secunda vice*, and referred to the same Committees as before, with the addi-

addition of the two Lords Chief Justices and Mr. Attorney-General.

The absence of the Earl of *Essex*, the Lord Viscount *Byndon*, the Earl of *Cumberland*, the Lord *Scroope*, the Lord *Willoughby of Ersby*, and the Lord Bishop of *Rochester*, were excused by the Lord *Rich*, the Lord *Chandois*, the Lord *Wharton*, the Lord *Zouche*, and the Lord Bishop of *Bath and Wells*.

Order was given for the release of *Stevenson* the Serjeant, who arrested my Lord *Chandois* his servant.

On *Tuesday, Decemb. 6.* an Act for erecting of houses of correction and punishment of Wanderers, *prima vice lecta*.

6.

On *Wednesday, Decemb. 7.* an Act for the confirmation of the Joynture of Dame *Christian* the Lady *Sandies*, *secunda vice lecta*. and commanded to be ingrossed.

7.

On *Thursday, Decemb. 8.* an Act for the erecting of houses of correction, and for punishment of Rogues, Vagabonds, and sturdy Beggars, *secunda vice lecta*. and referred to the Committees for the former Bill; and the same time and place appointed for their meeting. And also authority was given to the Committees to call such of the Lower House unto them at this meeting, as they should finde cause, to confer withal for the better perfecting of the Bill.

8.

An Act for *Arthur Hatch*, her Majesties Ward, for the enjoying the Rectory and Personage of *South-Moulton*, according to an Agreement, *secunda vice lecta*. upon which reading it was ordered, That all Parties whom this Bill may concern, either on the part of Mr. *Hatch*, or against him, shall be heard openly in the House upon *Munday* next by their Counsel learn'd; and all specialties concerning the same then to be produced, to the end that it may be considered, whether it shall be convenient to pass this Act or not: Mr. Serjeant *Drew* and Mr. Attorney-General being appointed by the Lords to inform themselves against that time, whether any thing be contained in the Bill that may prejudice the Poor Knights of *Windsor*, and to make Report thereof accordingly on the part of the said poor Knights.

An Act for the establishing of the possession of *Henry Upton* Kt. deceased, and for payment of his Debts, read *secunda vice*.

A Motion made by some of the Lords, and agreed to by the House, that there should be respite of some days taken before the third reading, for any such Party or Parties as the Bill concerneth, and namely any of the *Wentworths*, to come to the House and alledge, if they finde cause, why the Bill should not proceed, the next *Tuesday* assign'd for this purpose.

William Cole the Knight-Marshall's man, that arrested *James Yorke* the Lord Archbishop's servant, was brought before the Lords by the Serjeant at Arms; and being found upon his Examination before the Lords wilfully to have offended therein against the Priviledge of the House, was Committed to the *Fleet*, there to remain

main

An. 1597.

9.
Bill to establish
St. Eliz. Hospi-
tal in Bristol.

main until their Lordships should give further directions for his enlargement.

On *Friday, Decemb. 9.* an Act for the establishing of the Hospital of *Queen Elizabeth* in *Bristol*, and for relief of Orphans and Poor there, read *secunda vice*: Upon this reading some Amendments were thought fit by the House to be added; which were presently drawn, and agreed by the House, and also twice read, and commanded to be ingrossed.

10.

On *Saturday, Decemb. 10.* an Act that the Lord *Montjoy* may dispose of his lands whereof he is Tenant in tail, as other Tenants in tail by the Laws and Statutes of this Realm may do, a private Statute made to the contrary 27 *Hen. 8.* notwithstanding, *secunda vice lect.*

Upon the Motion of the Lord Marquis of *Winchester*, it was ordered, that the Cause shall be heard openly in the House on *Munday-morning* by the Counsel learn'd on both sides.

An Act for the better recording of Fines to be levied in the Court of Common-Pleas, returned and allowed by the House of Commons, without any alteration, expedited.

12.

On *Munday, Decemb. 12.* a Motion and Request made by the Lower House, and delivered by Mr. Secretary *Cecill*, accompanied with many others, for a Conference to be had concerning the Bill, entituled, *An Act concerning Tellers, Receivers, &c.* and assented unto: Whereupon the Committees formerly named upon this Bill, were appointed with others, *viz.* the Lord Treasurer, Lord Admiral, four Earls, five Bishops, Lord Chamberlain, and twelve Barons, the Lord Chief Justice of *England*, the Lord Chief Justice of the Common-Pleas, the Lord Chief Baron, Mr. Serjeant *Drew*, and Mr. Attorney-General, to attend the Lords: the meeting to be at the great Council-chamber at *Whitehall*, to morrow at two of the clock in the afternoon.

The Counsel on both parts, for the Lord Marquis of *Winchester*, and the Lord *Montjoy*, were admitted to publick hearing in the House; and thereupon no just cause being found to hinder or to stay the proceeding of the Bill, the same was commanded to be read the third time, and so was expedited.

13.

On *Tuesday, Decemb. 13.* an Act against Foresters, Regrators, and Ingrossers, read *tertia vice*, and return'd to the Lower House for their consideration of some Amendments.

An Act giving power and liberty to Sir *John Spencer* Knight, Dame *Mary* his Wife, and *Robert Spencer* Esq; their Son, to alienate certain Mannors and lands in the Counties of *Dorset* and *Bedford*, read *tertia vice*; and thereupon two Letters from the Lord *Spencer* to the Lord Chamberlain, signifying his consent to the Bill, were read.

On

39 Eliz.

14.

On Wednesday, Decemb. 14. order was given for release of *William Wood* out of the *Fleet*, at whose suit *Edward Barston* the Lord *Chandos* servant was arrested, so as he make satisfaction to the said *Barston* of such charges as he was at by means of the said Arrest.

The like Order was made for the enlargement of *William Cole*, that arrested *John Yorke* the Archbishops servant, paying onely the Fees of the *Fleet*.

On Thursday, Decemb. 15. an Act for explanation of the Statute made *Anno 5 Regine*, concerning Labourers, returned from the Lower House with some Exceptions to the Schedule affixed, because the Amendment was ingrossed in Parchment; which, according to the custom of the House, should have been in Paper.

Certain Articles were presented in writing by the Lower House, touching their Opinions and Objections concerning the Bill of Tellers, &c. which were delivered to Mr. Attorney, to the end he might confer with the Judges upon the same, and make Report to their Lordships.

The Bill concerning Mr. *Arthur Hatch*, her Majesties Ward, &c. return'd into the House by the Lord Treasurer the first of the Committees. And forasmuch as it seemed to the Committees that there were in the Bill certain points that could not be well reformed, a Motion was made to the House, upon agreement among the Committees, That the proceeding in this Bill might cease, and that another course might be taken by way of Composition betwixt the Dean and Chapter of *Windsor* and *Arthur Hatch*; for which purpose a Bill was brought ready drawn by Mr. Attorney-General, containing a form of Composition betwixt them, to be ratified, if it should be thought good by Parliament.

On Friday, Decemb. 16. a Bill for the grant of three Subsidies, six Fifteenths and Tenths, read the third time, and expedited.

On Saturday, Decemb. 17. an Act to preserve the property of stolen Horses in the true Owners, and to reform the abuses of Vouchers in the sale of Horses in Fairs and Markets, read *prima vice*.

An Act for the repressing of Offences that are in the nature of Stealth, and are not Felonies by the Laws of the Realm, *prima vice lect*.

On Munday, Decemb. 19. certain Amendments were offered to the House by the Committees on the second reading, concerning *Arthur Hatch* her Majesties Ward, the said Amendments being twice read; whereupon both the Bill and the said Amendments were commanded to be forthwith ingrossed: which was accordingly done, and presently read the third time, and sent to the Lower House by Mr. Attorney-General and Dr. *Stanhopp*.

The Amendments in the Bill concerning Labourers, formerly in-

A a

grossed

15.

A Bill returned, because the Amendments went ingrossed in Parchment, which should have been in Paper.

16.

17.

19.

An. 1597.

20.
Bill for houses
of Correction.

grossed in Parchment, whereat some exception was taken by the Lower House, and for that cause returned without their allowance to the Lords, was now commanded to be written in Paper.

On Tuesday, Decemb. 20. the Bill for erecting of houses of Correction, and for punishment of vagabond Rogues, &c. was read *tertia vice*.

Dominus Custos Magni Sigilli, ex mandato Domine Regine, adjournavit præsens Parliamentum usque in xi^o die Januarii prox. sequen. hora octava.

Jan. 11.

Wednesday, January 11. the Earl of Essex having been created Earl-Marshal the 18th of December last by her Majesties Letters-Patents, took his place according to the said Office, viz. next the Earl of Oxford great Chamberlain of England, and before the Earl of Nottingham great Steward.

12.
Bill for in-
crease of Peo-
ple for the ser-
vice and de-
fence of the
Realm.

Thursday, Jan. 12. the Bill, entituled, *An Act for the increase of People for the service and defence of the Realm*, return'd to the House by the Committees. A Motion made by the Lord Archbishop of Canterbury first of the Committees, that a Conference might be had with a competent number of chosen persons of the Lower House, for the better perfecting of the Bill; whereupon Mr. Attorney-General and Dr. Stanhopp were address'd to the Lower House, with a Message to that effect: and the time and place of meeting desired, to be at the great Council-chamber at Whitehall, to morrow by two of the clock in the afternoon.

Certain select Committees, chosen by the Lower House, concerning that Bill for the increase of People, &c. were sent to the Lords, signifying their allowance of the time and place appointed for meeting about that Bill; but desired, that in the mean time they might have delivered unto them in writing such Objections of their Lordships as they do make unto the Bill, to the end they might be more ready to deliver their Opinions and Resolutions at the meeting.

The Lords having considered of this Motion, thought it unfit, and not agreeable to the Order of this House, to deliver the same in writing: and therefore agreed that answer should be made, That if upon verbal Conference they should remain unsatisfied touching the said Exceptions, then they should have the same delivered unto them in writing, for their further consideration thereof: which Answer was presently notified to the said select Committees. And in the mean season the Judges were required to set down the Objections in writing, that they might be in readiness for the said Committees of the Lower House, if upon the verbal Conference before-mentioned they should not be satisfied.

An Act for establishing the Bishoprick of Norwich and the possessions of the same, against a concealed Title made thereunto, read *secunda vice*; and upon this reading, it was ordered by the Lords, That all Parties whom this Bill may concern, should be openly heard in the House upon Saturday next in the morning, to the end

end that it might be consider'd whether the same may justly pass without prejudice to the said Parties ; *George Lester* to be warned then to attend.

39 *Elix.*

On *Friday, Jan. 13.* an Act concerning a Lease of great yearly Value, procured to be passed from her Majesty by *William Kirkham*, read *prima vice*: *Kirkham* and *Ambrose Willoughby Esq;* to be warned to attend the Lords on *Munday-morning* next ; at which time it is appointed the said Bill shall be read the second time.

13.

An Act concerning the draining and recovery from the water certain overflown Grounds in the County of *Norfolk*, *secunda vice* *lett.* and referred to the same Committees upon the Bill formerly read of that kind concerning 300000 Acres, &c. with addition of the Lord *St. John* and Mr. Attorney to attend ; appointed to meet, &c. and such Parties as the same may concern to be warned to attend.

An Act for draining of Lands.

On *Saturday, Jan. 14.* certain Objections unto a Bill, entituled, *An Act for the increase of People, &c.* were set down in writing by Mr. Attorney-General, and brought into the House by the Lord Archbishop of *Canterbury* the first of the Committees, and the same sent to the Lower House for their consideration thereof, according to a Promise made by their Lordships to the select Committees of the Lower House, at the meeting yesterday about the Bill delivered by Mr. Attorney and Dr. *Stanhopp*.

14.

Certain Knights and Burgesses of the Lower House were sent to their Lordships to desire a Conference with a competent number of that House, concerning the Amendments and Proviso added to the Bill, entituled, *An Act for erecting of houses of Correction, and punishing of Rogues, Vagabonds, &c.* whereupon choice was made of the Lord Archbishop of *Canterbury*, the Lord Admiral, the Earl of *Shrewsbury*, and the Bishop of *Winchester*, and two Barons, being part of the number formerly appointed upon the Bill ; the two Chief Justices and the Chief Baron, Mr. Serjeant *Drew* and Mr. Attorney-General to attend them, and the same presently signified to the same Knights and Burgesses ; but with this caution, That whatsoever had been mended or added by their Lordships, could not now be altered by the Orders of the House : howbeit, to yield the Lower House satisfaction of the reasons that moved their Lordships to make those Amendments, they assented to a Conference : the meeting appointed to be in the outward Chamber of the Upper House of Parliament, on *Munday-morning* at eight of the clock.

The Earl of *Essex*, not able to attend for want of health, certified by the Lord *North*. The Bishop of *Landaff* absent by reason of sickness, signified by the Bishop of *Chester*.

On *Munday, Jan. 16.* Report was made by the Lord Archbishop of *Canterbury*, That upon meeting of such of the Lords of the Higher House as were appointed this day to confer with certain select Knights and Burgesses of the Lower House concerning the

16.

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the Amendments and Provisoes added by their Lordships to a Bill, entituled, *An Act for erecting houses of Correction*, &c. the said Knights and Burgeses do hold themselves satisfied upon the Reasons alleadged by their Lordships in some part of the said Amendments, but not in all.

Kirkham was called into the House before their Lordships; and after he had been heard what he was able to say on his own behalf, the same Bill was read a second time, *viz.* An Act concerning a Lease of great yearly Value, procured to be passed from her Majesty by *William Kirkham*, and commanded to be ingrossed.

A Motion made, that a Proviso should be added to the Bill concerning the Bishoprick of *Norwich*; which Proviso was presently drawn in the House by Mr. Attorney-General, and thereupon read: And for the more expedition in the proceeding of the Bill, it was thought meet that the Lord Archbishop of *Canterbury*, Lord Marshal, Lord Admiral, Bishop of *London*, Lord Chamberlain, and Lord *Cobham*, should confer with a competent number of the Lower House about the said Proviso. Whereupon Mr. Serjeant *Drew* and Mr. Attorney were sent to the Lower House to signify the same unto them; who presently assented to a meeting, and made their repair to their Lordships forthwith.

An Act for enlarging the Statute made for following of Hue and Cry, in 27 *Reginae*, in some sort to relieve the Inhabitants of the small hundred of *Beyvershe*, alias *Benhurst*, in cases where they are in no ways voluntarily in default, and yet they are or shall be charged by the same Statute, and by two ancient Statutes, the one made 13 *Edm.* 1. and the other 28 *Edm.* 3. for repressing Robberies.

17.

On *Tuesday, Jan. 17.* a Proviso drawn by Mr. Attorney, by commandment of the House, to be added to the Bill for establishing of the Bishoprick of *Norwich*, &c. was twice read, and commanded to be ingrossed; and then both the Bill and Proviso read the third time, and returned to the Lower House for their consideration on the Proviso.

An Act for some better staying of Corn within this Land, to give liberty to English Subjects sometimes to buy Wheat, &c. and to sell the same again in the same kind, for the better relief of the Common-wealth, *tertia vice lect.* and rejected.

18.

On *Wednesday, Jan. 18.* the Lord Keeper signified to the House, That the Parties that followed the Bill for the Hospital of *Warwick*, are not provided of their Counsel learned; whereupon the House assigned them a new day, *viz.* *Friday* morning next.

An Act for avoiding of bringing of Fins into this Realm made and wrought in forraign parts beyond the Seas, *secunda vice lect.* and rejected.

The Amendments agreed upon by the Committees upon the Bill of Tillage, appointed to be brought into the House to morrow-morning by the Lord Chief Justice of *England*.

An

An Act for the better furnishing and supply of able Chyrurgeons in and to the Land and Sea-service, for her Majestie and the Realm, *secunda vice lect.*

39 Eliz.

A Bill about
Chirurgeons
for Sea-service.

The Lord *Buckhurst* signified that upon a Letter written unto him, by the Lord Marquess of *Winchester*, notifying his present sickness, whereby he was not able to give his attendance as yet: the said Lord *Buckhurst*, according to the request of the said Lord Marquess, having moved her Majesty therein, it pleased her Majesty to hold him excused until his recovery, and commanded that he should then give his attendance.

On *Thursday, Jan. 19.* Answer was returned in writing from the Lower House, and delivered by certain Knights and Burgessees sent for that purpose, unto the Objections taken by their Lordships to some points of the Bill intituled *An Act for the increase of People for the service and defence of the Realm*; which Objections were formerly delivered unto them in writing, upon their request made to their Lordships.

19.

Certain selected persons of the Lower House, *viz.* Sir *William Knolles*, and Sir *Edward Hobby* Kts, with divers others, coming from the said Lower House, delivered a Message, signifying that the Knights and Burgessees desired to receive satisfaction from their Lordships concerning an Innovation as the said Knights and Burgessees supposed, very lately begun in the Upper House, in delivering an Answer from the Lords by the mouth of the Lord Keeper, in other form and manner than as was pretended by the Knights and Burgessees in former times used, as they did interpret it, to the prejudice and derogation of the Liberty of the Lower House. For, whereas on the 14th instant, Sir *Walter Rawleigh* Kt. with divers others of the Lower House, were sent to the Lords to deliver a certain Message to this House; after consultation had thereupon by the Lords, and after signification thereof given to the said Sir *Walter Rawleigh*, and the rest (staying in the outward room for answer) that they might come in and receive the same; it was thought meet, that the Lord Keeper should deliver the said Answer sitting in his place, and every of the Lords keeping their places, and not going out to the Bar, as the use and form is when the Lords receive either Bills or Message from the Lower House; and as the Lords had done once or twice before, by error, or not attending the Formality and Order of the House in that point. This was the Exception taken by the Message delivered this day from the Knights and Burgessees of the Lower House, wherein they desired to receive satisfaction.

Complaint of
the Commons
of an Innovation
by their
Lordships.

Upon which Message, the Lords having consulted and delivered their Opinions touching that Order and Custome of the House, as it had been observed, and particularly noted by some of them that were the most antient and of longest continuance in Parliament, and especially by the Lord *Burleigh* Lord Treasurer, the most antient Parliament-man of any that are at this present, either of the Upper or the Lower House; and likewise by the Lord Arch-bishop of *Canterbury*, and by the Lord Admiral, the Lord *North*, the

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Lord

An. 1597.

*The resolution
of the Lords
upon the Com-
plaint.*

Lord *Buckhurst*, and others, that had been present at many Parliaments.

It was resolved, That the Order and Usage of this House was, and is, that when any Bills or Messages be brought from the Lower House, to be preferred to the Upper House, the Lord Keeper and the rest of the Lords are to rise from their places, and to go down to the Bar, there to meet such as come from the Lower House, and from them to receive in that place their Messages or Bills. But, contrarywise, when any Answer is to be delivered by the Lord Keeper, in the name and behalf of this House, to such Knights and Burgesses as came from the Lower House, the said Knights and Burgesses are to receive the same standing towards the lower end of the House without the Bar. And the Lord Keeper is to deliver the same sitting in his place, with his head covered, and all the Lords keeping their places; and that whensoever it had been done otherwise, the same was by error, or mistaking, and therefore not to be drawn into an Example or President, as it was acknowledged by the Lord Keeper this day, and the rest of the Lords, that the going of the said Lord Keeper and the rest of the Lords from their places, unto the Bar, some few days before, once or twice, to give answer to some of the Lower House, whereof the Lower House seemed to take some advantage, was onely by miscognition, or rather for want of due remembrance at the present of the Order and Custome of this House; whereunto, their Lordships having regard rather to the dispatch of matters of importance in the House, than to Formalities, were not greatly intensitive.

This to have been the ancient usage of the House, and that the same ought still to be, was concluded by common and general consent of the Lords, both upon particular remembrance, and observations of the like course and Order holden afore-time, by other Lords that held the place in the House of Lord-Chancellor and Lord Keeper, and also by divers reasons, urged and alleadged, to prove and shew that the said Order doth best stand with the dignity and gravity of the House, and with the conveniency and aptness for dispatch of Affairs appertaining to the Parliament; and that the contrary course is both indecent and inconvenient.

*The Lords send
to the Commons
to come up and
know their Re-
solutions.*

This being so resolved and concluded, it was agreed, that Mr. Attorney-General and Mr. Serjeant *Drewe* should go down to the Lower House, and signifie from the Lords to the Knights and Burgesses, That if they would send any of that House up to the Lords, to receive Answer unto their aforesaid Demand, Answer should be given them. Whereunto the said Knights and Burgesses returned signification of their Assent, by the said Mr. Attorney-General, and Mr. Serjeant *Drewe*. And within a very little time after, sent up accordingly the said persons, and divers of them who before had been sent to demand satisfaction; but being come into the House, and having placed themselves at the lower end of the room, (as at other times they accustomed) expecting that the Lord Keeper and the rest of the Lords would come from their places, and meet them at the Bar, to deliver them Answer: When the
Lord

Lord Keeper moved them to come nearer to receive Answer, and when they perceived the Lords were resolved not to come from their places to the Bar, they protested by the mouth of Sir William Knolls, that they had no Commission to receive Answer in that Form; and so refusing to receive any Answer, departed.

The Question and Difference thus remaining betwixt the Houses, it was afterwards (upon a motion sent from the Lords to the Lower House) agreed on both parts, that a Conference should be had, and that the aforesaid selected persons of the House, or so many of them as shall be needful, should meet with divers of the Lords of the Upper House (being nominated by the House for that purpose) in the outward great Chamber, before the Chamber of Parliament-presence, to debate the matter, and bring it to a conclusion. Which Meeting and Conference being assented unto, and afterwards accordingly there performed on the 19 of January, and the Question debated; and the reason and observation of former times, for the aforesaid Order and Custom of the House, being alleadged by the Lord Arch-bishop of Canterbury, the Lord Treasurer, the Lord Admiral, the Lord North, and the Lord Buckhurst, that had been present in many Parliaments, and especially by the Lord Treasurer (the most antient Parliament-man) it was found and resolved, that the Order and Custom of the House was, as is before written, viz. That when any Bills or Messages are brought from the Lower House to be presented to the Upper House, the Lord Keeper and the rest of the Lords are to rise from their places, and to go down to the Bar, there to meet such as come from the Lower House, and from them to receive in that place their Messages or Bills.

But contrarywise, when any Answer is to be delivered by the Lord Keeper, in the name and behalf of the House, to such Knights and Burgeßes as come from the Lower House, the said Knights and Burgeßes are to receive the same standing towards the lower end of the House; and the Lord Keeper is to deliver the same with his head covered, and all the Lords are to keep their places. And thereupon the Lower House was satisfied, and the same form was afterwards kept accordingly.

On Friday, Jan. 20. The Answer in writing that came yesterday from the Lower House, to the Objections taken by their Lordships to some points of the Bill, intituled, *An Act for the increase of People for the service and defence of the Realm*, was by the Order of the House referred, and delivered unto the Lords Committees formerly appointed upon that Bill, who were required to consider thereof, and make their Report of their Opinions concerning the same.

On Saturday, Jan. 21. the Bill for reforming of sundry abuses committed by Souldiers and others in the War, read *secunda vice*.

On Munday, Jan. 22. a Bill for establishing a Joynture to Anne Lady Wentworth, read *prima vice*.

On

39 Eliz.

The Commons protest.

The Question continuing, the Lords desire a Conference,

where the Dispute is determined.

20.

21.

22.

An. 1597.

24.

A Doubt propounded, and resolved.

On Tuesday, Jan. 24. the Bill intituled, *An Act for the relieving of clothiers*, concerning the weight of short, broad, and coloured Clothes, to be made in the Counties of *Suffolk* and *Essex*, returned to the House by the Earl of *Shrewsbury* first of the Committees, who made report that upon hearing of both parties, and upon due consideration of the reasons and allegations by them alleadged, the Committees thought there could not be any further proceedings in the same; whereupon a new Bill was presented, bearing this Title, viz. *An Act touching the making of short, broad, coarse, coloured Clothes, in the Counties of Suffolk and Essex*; which was read *prima vice*.

Debated in the House whether Amendments upon a Bill being brought into the House by Committees, may afterwards be contradicted or spoken against by any of the Committees. The doubt was left for the present unresolved; but afterwards cleared, and ruled Affirmatively.

25.

On Wednesday, Jan. 25. an Act that no person robbing of a House in the Day-time, although no person be therein, shall be admitted to have the benefit of his Clergie, *secunda vice lect*.

An Act, that Lessees may enjoy their Leases against all Patents, their Heirs and Assignes, notwithstanding any default of payment of their Rents, during the time that the Reversion or Inheritance remained in the Crown, *secunda vice lect*. and referred to Committees, viz. the Lord Arch-bishop of *Canterbury*, Lord Treasurer, Lord Marshal, and others, appointed to meet, &c. the Lord Chief-Justice, the Lord Chief-Baron, and Mr. Attorney-General to attend them.

Sir *Moyle Finch*, to be heard by his Counsel learned openly in the House to morrow-morning concerning this Bill.

Notice given to the House by the Lord Treasurer, that the Committees upon the Bill concerning Tellers, Receivers, &c. had a meeting with a select number of the Lower House, to confer upon the Objections and Answers touching that Bill yesterday in the Afternoon, according to the order taken Jan. 23. But forasmuch as the said number of the Lower House, at the meeting affirmed that they had no authority to undertake the debating of the said Objections and Answers, (otherwise than to speak as they should see cause as private men) and desired that the Answers might be communicated to the Lower House in writing; the Lords therefore sent down the said Answers to the Lower House by the hands of Mr. Attorney-General and Dr. *Stanhope*.

26.

On Thursday, Jan. 26. an Act for enabling *Edmond Molineux* to sell Lands for the payment of his Debts, &c. was returned to the House by the Lord Marshal, second of the Committees. And forasmuch as the same could not be determined by the said Committees, by reason of some of the Kindred of the said *Edmond Molineux*, who opposed themselves against the Bill; a motion was therefore made that the Cause might be ended by some arbitrary course;

39 Eliz.

course; whereupon the Parties on both sides were called into the House, and moved to that purpose; unto which they assented, and made choice of the Earl of Rutland, the Bishop of London, and the Lord Montjoy, who were appointed to meet that afternoon, &c.

An Act to reform Deceits, and breaches of Trust touching Lands given to charitable uses, returned to the House by the Lord Archbishop of Canterbury, with some amendments, and a Proviso thought meet to be added, which were twice read; and thereupon Commandment given, that the said Amendments should be written in Paper, and the Proviso ingrossed in Parchment, ready for a third reading.

The Bill, intituled, *An Act for the increase of People, for the service and defence of the Realm*, returned to the House by the Earl of Shrewsbury first of the Committees. And because it seemed to all the Committees appointed for this Bill, together with the Judges, that notwithstanding the Conference with several selected persons of the Lower House, that this Bill could not proceed; Order was given to the Judges, but especially to the Lord Chief-Justice, to draw a new Bill; whereupon this new Bill following was brought into the House.

An Act against decaying of Towns and houses of Husbandry, *prima vice lect.*

Excuse made by the Lord Admiral for the Earl of Hertford's absence for want of health. The like by the Lord Chandos for the Lord de la Ware.

The Lord Marshal signified to the House, that the Lord Mordant and the Lord Sheffield had leave of her Majesty for their absence.

On Friday, Jan. 27. the Lord Treasurer took his place this day as Baron of Burleigh, between the Lord Buckhurst and the Lord Compton. The Lord Admiral his place, as Earl of Nottingham, between the Earl of Lincoln and the Lord Viscount Byndon. The Lord Chamberlain his place, as Baron of Hunsdon, between the Lord Chandos and the Lord St. John of Bletsoe.

On Saturday, Jan. 28. the Bill for the lawful making of Bays in the Counties of Essex and Suffolk, was read *tertia vice*.

On Munday, Jan. 30. an Act for Retailing-brokers, and other Pawn-takers, returned to the House by the Lord Archbishop of Canterbury, first of the Committees; and because there was found many defects therein, so that they thought the same unfit to be proceeded in, they therefore, together with the said Bill, presented a new Bill, intituled as the former, which was read *prima vice*.

On Tuesday, Jan. 31. a Motion from the lower House by Sir John Forcune and others, that some new time might be appointed for conference about the Act, intituled, *An Act for reforming sundry abuses committed by souldiers*, &c. in regard they had appointed

An. 1597.

some other meeting this Afternoon, for the preparing of a Bill of Accomptants in readines to proceed, their Lordships having considered of the Motion, made answer by the Lord Keeper, that they wished for some good consideration, that the appointed time, viz. this Afternoon, might hold for this Conference; supposing, that if it please the Committees of the Lower House to come the sooner this Afternoon for this purpose, they might well enough perform both the one and the other.

Feb. 1.

On *Wednesday, Feb. 1.* the Bill intituled, *An Act for the reviving, continuance, explanation, and repealing of divers Statutes*, returned to the House, by the Lord Chief Justice, with some amendments, which were presently twice read; and thereupon Commandment given to be prepared ready in writing in Paper for a third reading. It is agreed, that a Conference shall be had with some of the Lower House about this Bill upon *Friday Morning* next.

3.

On *Friday, Feb. 3.* a Proviso in the Bill for recovering 300000 Acres, more or less, of waste Marsh and watry Ground, this day twice read, and the Amendments. And thereupon Commandment given, the said Amendments should be written in Paper, and the Proviso ingrossed in Parchment, ready for a third reading.

Report made by the Lord Treasurer, what the substance of the Conference was between their Lordships and certain select Committees of the Lower House, concerning the Bill for reviving, continuing, and repealing of divers Statutes; and the same referred to the Lord Chief-Justice, and other Justices, for their further consideration.

4.

On *Saturday, Feb. 4.* an Act for reformation of Retailing-brokers, and other Pawn-takers, read *tertia vice*.

An Act against the deceitful stretching and Tainting of Northern Cloaths, *tertia vice lect.*

An Act for the reviving, continuance, explanation, perfecting, and repealing of divers Statutes, *tertia vice lect.* The three Bills above-mentioned sent to the Lower House, of which the two latter were returned, for their consideration of certain Amendments and Provisos added by their Lordships.

The Proviso thought meet by the Committees, on the Bill concerning the draining and recovery of certain over-flown Grounds in the County of *Norfolk*, twice read, and commanded to be engrossed.

A Motion by the Lord *Buckhurst*, that the County of *Sussex* might be added to the general Bill of surrounded Grounds.

The like Motion by the Lord *North* and others, for the Counties of *Somerset* and *Essex*; whereto the House assented, and the said three Counties were accordingly added to the rest.

6.

On *Munday, Feb. 6. hora secunda post Meridiem*, the Proviso added by the Lower House, to the Bill for the confirmation of the Joyn-

Joyniture of *Christian Lady Sandis*, read *tertia vice*; and thereupon the Bill expedited.

39 *Elix.*

On *Tuesday*, a Message from their Lordships to the Lower House, delivered by Serjeant *Drew* and Dr. *Carew*, for a Conference concerning a Bill against excess of Apparel, with a competent number of the said House: The time and place being desired to be at Two of the clock this Afternoon, at the great Chamber of the Upper House of Parliament.

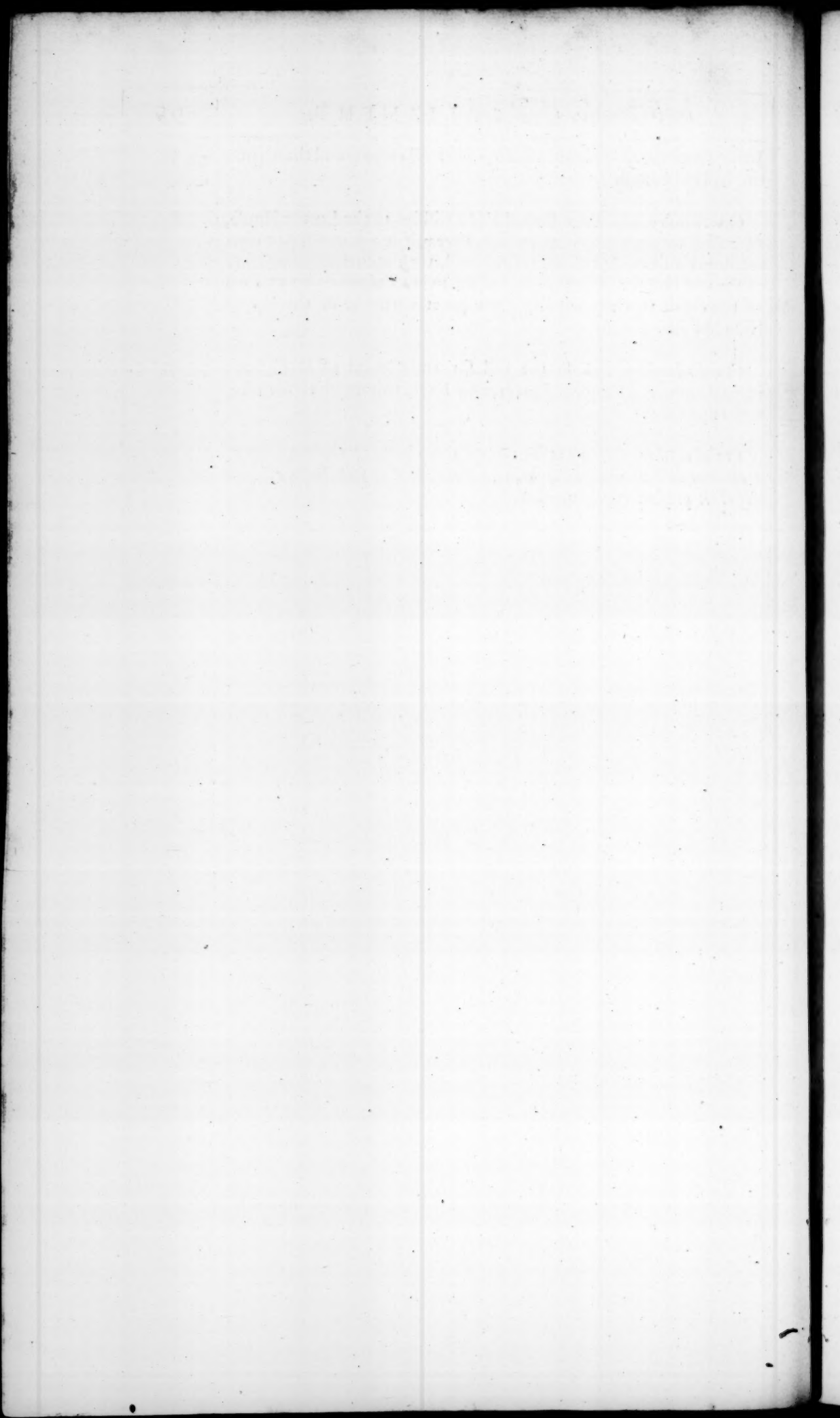
7.

On *Wednesday*, Feb. 8. the Bill for amendment of High-ways in the Counties of *Sussex*, *Surrey*, and *Kent*, was read *tertia vice*, and expedited.

8.

On *Thursday*, Feb. 9. at Three of the clock in the Afternoon, *Dominus Custos Magni Sigilli, ex Mandato Domine Regine, tunc dissolvit presens Parliamentum.*

9.
They are dissolved.



39 Eliz.

A Journal of the Passages of the House of Commons in Parliament, holden at Westminster in Anno 39 Eliz. Reginae, annoq; Dom. 1597. begun there on Munday the 24 of Octob. and Dissolved Febr. 9. Anno 40. ejusdem Reginae.

THe Ninth Parliament of our Sovereign Lady Elizabeth by the grace of God of England, France, and Ireland Queen, defender of the Faith, &c. began at Westminster upon Munday Octob. 24, in the 39th year of her Majesties Reign; upon which day many of the Knights of the Shires, Citizens of the Cities, Burgeses of Burroughs, and Barons of the Cinque-Ports, did then make their appearance at Westminster, being returned into the said Parliament for the same Shires, Cities, Burroughs and Ports, before the Right Honourable the Earl of Nottingham Lord Steward of her Majesties most honourable Household: and having authority to chuse their Speaker, they made choice of Mr. Serjeant Yelverton to be their Speaker.

1597.
Oct. 24.
The Parliament assembled.

Chaseth Serj. Yelverton for their Speaker.

On Thursday, Octob. 27. the House being set, and before Mr. Speaker went up unto her Majesty in the Upper House, Mr. Chancellor of the Exchequer moved, and admonished that none of this House should, after this present day, enter into the House with their Spurs on, for offending of others: and withal, that none do come into this House before they have paid the Serjeant's Fees due unto him, according to the accustomed usage of this House, in that case.

27.
Chancellor of the Exchequer moves that none may hereafter enter the House with Spurs on, and pay the Serjeant his fees.

After which, Mr. Speaker, with the greatest number of this House, went towards the Upper House, there to attend her Majesties pleasure; and afterwards being admitted, the said Mr. Serjeant Yelverton was presented before her Majesty, and allowed of by her, according to the usual form in that case accustomed. And so returning to this House, he was Speaker, and took his place, and sat in the Chair.

The Commons go to the Lords House.

Speaker approved, they return to the Lower House.

And then and there signified to this House, that whereas in former times the Order was, to have a Bill read before they did rise, the same could not be so done at this time, because her Majesty had in the Upper House adjourned this Parliament until Saturday next come seven-night, being the fifth day of November next coming, at eight of the clock in the Forenoon of the same day, till which time he said all the Members of this House might depart, and take their ease: and so then every man went his way.

A caution given that no Bill could be read this day, as was usual;

On Saturday, Novemb. 5. the House met about eight of the clock in the Morning, having through a mere mistake and error

5.
which proved a mistake of the Speakers.

An. 1597.

Bill against
those that take
away Women
against their
will.

of the Speaker and themselves, conceived their House to have been adjourned by the Lord Keeper the first day of this Parliament, unto this present day.

The Bill against Foretallers, Regrators, and Engrossers, read the first time.

Mr. *Finch* shewing sundry great and horrible abuses committed by Vagrant and Idle persons, offensive both to God and the world, and further shewing the extream miserable estate of the Godly and honest sort of the poor Subjects of this Realm, moved for a Committee of this House to be selected for redress thereof.

The Bill for the taking away the benefit of Clergy from Offenders against a Statute made 3 Hen. 7. concerning the taking away of Women against their wills, was read *prima vice*.

6. Sunday, Novemb. 6.

7. On Monday, Novemb. 7. four Bills had each of them one reading; the last being the Bill against Foretallers, &c. was upon the second reading committed unto Mr. Chancellor of the Exchequer, Mr. *Francis Bacon*, the Citizens for London, York, Coventry, Bristol, and Gloucester, Mr. *Nathaniel Bacon*, and others, who were appointed to meet on Wednesday next at the Exchequer-Chamber at two of the clock in the Afternoon; and the Bill and Committees names were then delivered to Mr. Chancellor of the Dutchie.

The Bill for taking away of benefit of the Clergy from Offenders against the Statute made 3 Hen. 7. concerning the taking away of Women against their wills unlawfully, was upon the second reading committed unto Mr. Solicitor, Mr. Recorder of London, Mr. *Boyes*, Mr. *Finch*, Mr. *Bourcher*, and M. *Duport*, to go presently into the Committee-chamber of this House; who taking the Bill with them, and returning again very soon after they had inserted into the Bill these words, viz. (*hereafter to be committed*) which words being read unto the House, and not well liked of, were stricken out, and these words were set down therein by consent of the House, viz. (*to be committed after the end of this present Parliament*) and were then twice read, and so the Bill upon the question was ordered to be ingrossed.

8. On Tuesday, Novemb. 8. two Bills had each of them one reading, of which the second being the Bill touching the transporting of Sheep-skins and Pelts, was read *prima vice*.

Also two other Bills had each of them one reading, of which the second being the Bill for due performance of the last Will and Testament of *George Durant*, was upon the second reading committed unto Sir *Edward Hobby*, Mr. *Francis Bacon*, Mr. *Francis Maro*, Sir *Robert Wingfield*, Mr. *Calthrope*, Sir *Thomas Cecil*, and Sir *James Harrington*, who were appointed to meet to morrow in the Exchequer-Court at Two of the clock in the Afternoon.

Sir *Francis Hastings* moved for the abridging and reforming of the excessive number of superfluous and burthensome penal Laws: which

which motion being seconded by Mr. *Francis Bacon* and others, the consideration of the management thereof, was committed to all the Privy-Council being Members of the House; all the Serjeants at Law likewise being Members of this House; all the Lawyers of this House, Mr. *George Moore*, Mr. *Lukenor*, Mr. *Nathaniel Bacon*, Mr. *Rotherham*, Mr. *Comistie*, Mr. *Diggs*, Mr. *Crompton*, Mr. *Peake*, Mr. Attorney of the Court of Wards, Mr. *Colebrand*, Mr. Attorney of the Dutchie, Mr. *Tolerby*, Mr. *Culpepper*, Dr. *Bennet*, Dr. *James*, Dr. *Perkins*, all the Knights of the Counties, and for the City of *London* returned into this House, Sir *William Moore*, Sir *Edward Hobby*, Sir *Thomas Hobby*, and Mr. *Hubbert*, who were appointed to meet in this House upon *Thursday* next at Two of the clock in the Afternoon.

On *Wednesday*, *Novemb. 9.* two Bills had each of them one reading: the second being the Bill to suppress the multitude of Maltsters, was upon the second reading committed unto Sir *Robert Wroth*, Mr. *Hubbert*, the Burgesses of *Iork*, *Hull*, *Worcester*, and *Gloucester*, Mr. *Nathaniel Bacon* and others, who were appointed to meet at Two of the clock this Afternoon in the *Middle-Temple Hall*.

Two other Bills had each of them one reading, of which the second being for the amendment of Weavers and Spinners Wages, was read *primavice*.

The House began this day to name Committees touching Monopolies, and Patents of Priviledges; of which Sir *John Fortescue*, Chancellor of the Exchequer, Mr. *Barker*, Mr. *Lawrence Hide*, and some nine others being appointed, Mr. Secretary *Cecil* moved the House, the day being far spent, and the business in agitation of great weight, the nominating of the said Committee might be deferred until the day following, and that then it might be discussed and set down touching what matter the said Committee should treat: Whereupon, upon the question it was deferred accordingly.

On *Thursday*, *Novemb. 10.* the Bill for the establishing of the Town-lands of *Wanting* in the County of *Berks* to the relief of the Poor, amending of High-ways, and maintaining of a School-master in the Town of *Wanting* aforesaid, was upon the second reading committed unto Mr. Controler, the Knights for the County of *Berks*, Mr. *Henry Nevil*, Sir *Humphry Foster*, Mr. Solicitor, Mr. *Francis Moore*, Mr. *Oglethorp*, Mr. *Lawrence Hide*, Mr. *Little*, Mr. *Tasborough*, and Mr. *Oldsworth*, who were appointed to meet on *Saturday* next at Two of the clock in the Afternoon in this House.

Three other Bills had each of them one reading, of which the last, being the Bill for re-edifying the Town of *Langford Estevor* in the County of *Somerset*, was upon the second reading committed unto the Knights for the County of *Somerset*, Sir *Francis Hastings*, Mr. *Hexte*, all the Burgesses of *Somerset-shire*, Mr. *Edward Philips*, Mr. *Alexander Popham*, the Knights and Citizens for *London*,

39 Eliz.

A Bill to reform the number of superfluous and burthenome penal Laws, &c.

9.

Bill to suppress the multitude of Maultsters.

10.

An. 1597.

don, Sir Robert Wroth, Mr. Jerom Horsey, and Dr. James, who were appointed to meet on *Munday* next at Two of the clock in the Afternoon in the *Middle-Temple* Hall.

Mr. Walgrave moved touching the abuses of Licenses for Marriages granted by Ecclesiastical persons, and prayed that consideration may be had for reformation thereof by this House.

II.

On *Friday, Novemb. 11.* four Bills had each of them one reading, of which the first was the Bill concerning the Hospital of *Warwick*.

Dr. Wingfield, and Dr. James, do shew sundry great abuses by Licenses for Marriages without Banes, granted by Registers, and other inferior Officers.

Whereupon Sir Thomas Cecil moved for a Committee for drawing a Bill for reformation thereof; whereupon were nominated Sir Thomas Cecil, Mr. Fannel, Mr. Finch, Dr. James, Mr. Nathaniel Bacon, Mr. Robert Wingfield, and others, who were appointed to meet to morrow at Two of the clock in the Afternoon in *Grays-Inn-hall*.

Mr. Hexte moved touching the abuses in Probates of Wills.

Mr. Edward Hobby moved for a Committee for continuance of several Statutes; whereupon were nominated Mr. Attorney of the Dutchie, Mr. Attorney of the Court of Wards, Sir Robert Wroth, Mr. Solicitor, Sir Edward Hobby, Mr. Francis Moore, Mr. Francis Bacon, all the Serjeants at Law being of this House, Sir William Moore, and others; and a note of the names of the Committees were delivered to Sir Robert Wroth, who with the rest were appointed to meet on *Thursday* next, in the *Inner-Temple-hall*, at Two of the clock in the Afternoon.

12.

Bill for increase
of Mariners,
and maintenance
of Navigation.

On *Saturday, Novemb. 12.* four Bills had each of them one reading, of which the first being the Bill for the repeal of the Statute of the 23 of her Majesties reign, intituled, *An Act for the increase of Mariners, and maintenance of Navigation*, was upon the second reading committed unto all the Burgeses of the Port-towns, all the Citizens of *London, York, Hull, and Norwich*, the Burgeses of *Carnarvan*, Mr. Miles Sands, and others, who were appointed to meet on *Munday* next at Two of the clock in the Afternoon in the *Middle-Temple-hall*.

Bill against
counterfeiting
of Hands.

The Bill against the counterfeiting the Hands of the Lords, was read the second time, and upon the question committed unto all the Privy-Council being Members of this House, all the Serjeants at Law which are of this House, Mr. Brograve, Attorney of the Dutchy, Sir Thomas Hobby, and others, who were appointed to meet on *Munday* next at Two of the clock in the Afternoon in the Exchequer-chamber.

The Bill for the better answering of her Majesties Tenths and Subsidies from the Clergy, was upon the second reading committed to Mr. Chancellor of the Exchequer, Mr. Solicitor, Mr. Recorder, Mr. Nathaniel Bacon, Mr. Wingfield, Sir Edward Hobby, and others, who were appointed to meet upon *Wednesday* next at Two

of

of the clock in the Afternoon, in the Exchequer-chamber, and the Bill was delivered unto Mr. Solicitor.

Sir *Robert Wroth*, in the Bill to suppress the multitude of Maltsters, being one of the Committee, who with the rest had been appointed to meet on *Wednesday* last, shewed, the Committees have met and travail'd therein, and thought good to draw a new Bill, and so brought in both the old and the new Bill.

Sunday, Novemb. 13.

On *Munday, Novemb. 14.* Mr. *Laurence Hide*, one of the Committees in the Bill for the Town of *Wanting*, shewed the meeting of the said Committees, and some amendments made by them in some parts of the said Bill; which said Amendments being twice read to the House, the Bill upon the Question was ordered to be ingrossed.

Mr. *George Moore*, one of the Committees in the Bill touching Armour and Weapons, shewed their meeting upon *Saturday* last, and requiring to have a new day of meeting, and that some of the Lawyers which are of this House being of this Committee, may then attend in the same. Whereupon day was given to meet again in this House, upon *Wednesday* next at Two of the clock in the Afternoon; and the Committees Names being then read by the Clerk, Mr. Serjeant *Williams*, Mr. Serjeant *Harris*, and Mr. Serjeant *Heal* were added unto them.

Mr. *Francis Bacon*, one of the selected Committees concerning Enclosures and Tillage, moved for a time to be appointed for the same selected Committees to impart their labour and travails therein to the general Committees, who were appointed in the same cause upon *Saturday* the fifth of this instant *November*, to the end that thereupon the same may afterwards be reported unto this House accordingly. Whereupon it was ordered, that they should for that purpose meet in this House to morrow at Two of the clock in the Afternoon.

The Bill for repressing of Robberies and touching Hue-and-crie, after the second reading, upon question for commitment, was denied to be committed; and upon another Question for the ingrossing, was denied to be ingrossed, and so rejected.

On *Tuesday, Novemb. 15.* five Bills had each of them one reading, of which the first being a Bill for extirpation of Beggars, was read *prima vice*.

Mr. Serjeant *Drew* and Dr. *Stanhope* brought from the Lords the Bill lately passed in this House for taking away the benefit of Clergy from Offenders against the Statute made 3 *Hen. 7.* concerning the taking away of Women against their Wills unlawfully; which Bill their Lordships have also passed, with a Proviso thereunto annexed by their Lordships.

The Bill concerning the establishing of the Town-lands of *Wanting* in the County of *Berks*, was read the third time, and was passed upon the Question.

39 *Eliz.*

13.

14.

Bill for repressing Robberies and touching Hue and Cry, rejected.

15.

An. 1597.

16.

On *Wednesday, Novemb. 16.* Four Bills had each of them one reading, of which the last, being the Bill for the Town of *Northampton*, was upon the second reading committed to the Knights for the County of *Northampton*, and the Burgesses of the Town of *Northampton*, Mr. *Edward Montague*, Sir *Edward Hobby*, and others, who were appointed to meet at Two a clock in the Afternoon of this day, at Sir *Thomas Cecil's* house.

The Bill for keeping of Horses from stealing, was upon the second reading committed to Mr. *Habbert*, Sir *Robert Wroth*, Mr. *Maynard*, Mr. *Porteington*, Sir *William Brereton*, Mr. *Henry Nevil*, Mr. *Pennington*, and others, who were appointed to meet to morrow in the Afternoon in the *Middle-Temple-hall*.

The Proviso which came from the Lords in the Bill for taking away the benefit of Clergie from certain Offenders, in a Bill lately passed this House and sent up to the Lords, was three times read, and passed upon the Question.

17.

On *Thursday, Novemb. 17.* two Bills had each of them one reading; of which, one concerning Lands and Debts of Sir *Henry Hatton Kt.* deceased, had its first reading.

The Bill also for erecting Houses of Correction, and the punishment of Rogues and sturdy Beggars, was read the first time.

Bill for erecting houses of Correction, and punishment of Rogues and sturdy Beggars

18.

Bill for Hospitals and Work-houses.

On *Friday, Novemb. 18.* twelve Bills had each of them one reading, of which the last, being a Bill for erecting of Hospitals and Working-houses for the Poor, was upon the second reading committed unto Sir *Edward Hart*, Mr. Recorder of *London*, Mr. *Tasborough*, all the Readers of the *Middle-Temple*, Mr. *Boyes*, Mr. *Henry Bellasis* and others, who were to meet this Afternoon at Two of the clock in the *Middle-Temple hall*.

The Bill concerning the Hospital of *Warwick*, read the second time, and committed to the Knights for *Warwick-shire*, the Burgesses of *Warwick*, Mr. *Lindsey*, Sir *Francis Hastings*, Mr. Recorder of *London*, Dr. *Cesar*, Mr. *Fulke Grevil*, Sir *Robert Wroth* and others, who were appointed to meet on *Wednesday* next at Two of the clock in the Afternoon in the *Exchequer-chamber*.

19.

On *Saturday, Novemb. 19.* Four Bills had each of them one reading, of which the last, being a Bill for erecting houses of Correction, &c. was upon the second reading committed unto Mr. *George Moore*, Mr. Attorney of the Dutchie, Mr. Attorney of the Court of Wards, Mr. *Francis Bacon*, Sir *Thomas Cecil*, Sir *William Moore*, Sir *Robert Wroth*, Mr. Recorder of *London*, and others, who were appointed to meet on *Tuesday* next in the Afternoon at the *Middle-Temple-hall*.

20.

Sunday, Novemb. 20.

21.

Bill against Bastardy.

On *Monday, Novemb. 21.* the Bill against *Bastardy* was read the second time, and committed to the former Committees in the

Bill

Bill for erecting of houses of Correction, &c. to meet at the former time and place. Also the Bill for the employment of the Poor, and to restrain them from Idleness, was read the second time, and committed to the former Committees, and to meet at the same time and place.

The Bill for the Lord *Montjoy* had its first reading.

The Bill concerning the Lands and Debts of Sir *Henry Hatton* Kt. deceased, was read the second time, and committed unto Mr. Controulr, Sir *Thomas Cecil*, Sir *William Cornwallis*, Mr. Recorder and others, who were appointed to meet on *Wednesday* next at Two of the Clock in the Afternoon in the Exchequer-chamber.

On *Tuesday*, *Novemb.* 22. the Bill for the necessary Habitation and Relief of the Poor, and Lame, and Blinde in every Parish, was read the second time, and committed unto the former Committees for erecting houses of Correction, &c.

The Bill for relief of Hospitals, poor Prisoners, and others impoverished by casual Losses, was upon the second reading committed to the former Committees for erecting houses of Correction, &c. Also the Bill for setting the Poor on work, was read the second time, and dashed upon the third Question for the Committee, and rejected upon the Question for ingrossing.

The Bill for relieving of the Poor out of Impropriations and other Church-livings, was read the second time; and after some speeches both with and against the Bill, upon the doubtfulness of the double Question for the committing, was upon the division of the House rejected, with the difference of 29 voices, with the Year 117. and with the No 146.

Three Bills were sent up to the Lords by Mr. Controulr, Mr. Chancellor of the Exchequer and others, of which the two last were, one for the establishing of the Town-lands of *Wanting* in the County of *Berks* to the relief of the Poor, and the last was for a repeal of a Statute made 13 of her Majesties reign, intituled, *An Act for the increase of Mariners, and maintenance of Navigation.*

The Bill concerning certain Lands of Sir *John Spencer* Kt. Dame *Mary* his Wife, and *Robert* his Son, was read *prima vice*.

Three other Bills had each of them one reading, of which the second, being the Bill for *Arthur Hatch*, was upon the second reading committed unto Mr. *Sands*, Mr. *Philips*, Mr. *Finch*, Mr. *Francis Popham*, Sir *Robert Wroth* and others, who were appointed to meet on *Thursday* next at Two of the clock in the Afternoon in the *Middle-Temple-hall*.

On *Wednesday*, *Novemb.* 23. Four Bills had each of them one reading, of which the last, being the Bill concerning Leases made by the Archbishops and Bishops, was upon the second reading rejected upon the question for committing, and so likewise upon the question for ingrossing.

The Bill for repealing part of the Charter granted to the Town of *Tarmouth*, was upon the second reading committed to Sir *Robert*

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22.

23.

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bert Wroth, Mr. Fulk Grevil, all the Burgeſſes of the Port-towns, the Knights for Norfolk and Suffolk, Mr. Nathaniel Bacon, and others, who were appointed to meet on Friday at Two of the clock in the Afternoon in the Exchequer-chamber.

24.

On Thursday, Novemb. 24. ſeven Bills had each of them one reading, of which the laſt being the Bill for puniſhment of certain Felonies hereafter to be committed, was upon the ſecond reading committed unto the former Committees for the relief of the Poor, &c. and Mr. Wiſeman, Mr. Little, and Mr. Let were added unto them, and the Bill delivered to Mr. Wroth, who with the reſt were appointed to meet this Afternoon in the Middle-Temple-hall.

The Bill that Leſſees many enjoy their Leaſes againſt certain Patentees in certain caſes, was read the firſt time.

The Bill concerning George Durant was read the third time, and after many Speeches, both with and againſt the Bill, and ſome tending to amendments to be made in ſome parts of the ſame, it was in the end deferred from being put to the Queſtion until Saturday next, upon ſome expectation that the parties concerned in the mean time might come to ſome good end among themſelves, without any further troubling of this Houſe.

25.

On Friday, Novemb. 25. Four Bills had each of them one reading, of which the laſt, being the Bill concerning the Lands and Tenements of Sir John Spencer, was upon the ſecond reading committed unto Mr. Winch, Sir Robert Wroth, Mr. Rotheram, Mr. Henry Telverton, Mr. Luke, Sir Richard Knightley, Mr. Henry Hubberd, Mr. Robert Wingfield, the Knights of Bedfordſhire, and Mr. Bourcher; and the Bill was delivered to Sir Robert Wroth, who, with the reſt, were appointed to meet at the Middle-Temple-hall to morrow at Two of the clock in the Afternoon.

The Bill for aſſurance of certain Lands and Tenements unto Robert Cotton Eſq;, was upon the ſecond reading committed to the former Committees in the Bill concerning Sir John Spencer, and at the ſame time and place; and there were added unto them Sir John Hungerford, Mr. William Cecil, and others.

The Bill concerning the draining of certain Lands and Grounds in Norfolk, was upon the ſecond reading committed unto Mr. Nathaniel Bacon, Sir Anthony Cope, Mr. Henry Telverton, Mr. Henry Spilman, Sir Robert Wroth, and others, who were appointed to meet upon Munday next at Two a clock in the Afternoon in the Exchequer-chamber.

The Bill for the increaſe of people for the ſervice of the Realm, was read the firſt time.

Mr. Secretary Cecil moved the ſecond reading of this Bill to morrow, and wiſhed all the Members of this Houſe to be preſent at the ſame, and provided, as they ſhall think fit, to employ their endeavour and Speeches to the furtherance of the proceedings in the ſaid Bill: whereupon it was agreed, that both this Bill, and alſo that for increaſe of Tillage, ſhall both of them be read to morrow.

On

39 Eliz.
26.

On *Saturday*, Nov. 26. four Bills had each of them one reading; of which, the last being the Bill for inrolling and exemplifying of Defeazances, was upon the second reading committed unto Sir *Edward Hobby*, Mr. Lieutenant of the Tower, Mr. *Francis Moore*, Mr. *Edward Luknor*, and others: who were appointed to meet on *Tuesday* next at two of the clock in the afternoon, in the Exchequer-chamber.

The Bill concerning Transportation of Sheep-skins and Pelts over Seas, was read the second time, and committed to Sir *Robert Carie*, the Burgessees of *Newcastle*, *Barwick*, *Northampton*, and *Lincoln*, Mr. *Francis Moore*, and others: who are appointed to meet on *Tuesday* next at two of the clock in the afternoon, in the Exchequer-chamber.

The Bill for Husbandry and Tillage was upon the second reading committed to Mr. *Francis Bacon*, Mr. *Yelverton*, Mr. *Tasborough*, the Citizens of all Cities, Mr. *Green*, and others: who was appointed to meet on *Tuesday* next at two of the clock in the afternoon, in this House.

Sunday, Nov. 27.

27.

On *Munday*, Nov. 28. two Bills had each of them one reading; of which, the second being the Bill for the City of *Bristol*, was upon the second reading committed to Dr. *James*, Mr. *Francis Moore*, the Citizens of *Bristol*, *Gloucester*, *Bath* and *Wells*, Mr. *Green*, and others: who were appointed to meet this afternoon at two of the clock, in the Middle-Temple-hall.

28.

Mr. *Coombs* and Mr. *Henry Powle* being Members of this House, shewed, They were this day served with a *Subpœna ad testificand.* in the Star-chamber, by *Anne* the wife of *Thomas Wye* Gent. and so moving for priviledge, the Serjeant of the House was thereupon charged to bring in the said *Anne* to appear in this House to answer the Contempt.

The Bill for increase of people for the strength and defence of the Realm, upon the second reading, after many Speeches, all tending to the good liking and furthering of the said Bill, it was ordered to be committed unto the former Committees in the Bill of Tillage; so, with a Note of the Names of the Committees, the Bill was delivered unto Mr. Controuler.

Mr. Attorney-General and Dr. *Stanhopp* brought from the Lords a Bill, entituled, *An Act for the better explanation of a Statute made 13 Reginæ, cap. 4. concerning Tellers and Receivers, &c.* and shewed, that their Lordships did especially recommend the said Bill to this House.

Three other Bills had each of them one reading; of which, the last being a Bill for erecting of Hospitals, or Abiding and Working-houses for the Poor, had its third reading; and after many Speeches both with and against the Bill, it was ordered upon the Question to be recommitted to the former Committees; and the Bill, with a Note of the Committees Names, were delivered to Mr. *Boyer*.

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Bill against
the excessive
Fees of Eccle-
siastical Jud-
ges, &c.

29.

The Bill against excessive Fees of Ecclesiastical Judges, and of their Officers and Ministers, was this day in the afternoon delivered to Mr. Speaker.

On *Tuesday*, Nov. 29. eight Bills had each of them one reading; of which, the last being the Bill for repairing the bridges of *Newport*, and *Carlion* in the County of *Monmouth*, was upon the second reading committed unto all the Knights for all the Shires, and Burgeses for all the Burroughs in *Wales*, *Monmouthshire*, and the Citizens for *Bristol* and *Gloucester*, Mr. Serjeant *Williams*, Mr. *Pembridge*, and Mr. *Oldsworth*: who were appointed to meet on *Thursday* next in the Exchequer-chamber, at two of the clock in the afternoon.

The Bill for the Town of *Northamp.* was read the third time, and upon the doubtfulness of the Question, twice put, was dashed upon the division of the House by the difference of 53 voices, viz. with the No 153, and with the Yea but 100.

The Bill for *Arthur Hatch* was read the third time, and passed upon the Question; the learned Counsel on both sides heretofore having been heard, as well before the Committees as before this House at the bar.

30.

On *Wednesday*, Nov. 30. four Bills had each of them one reading; of which, the last was for the prohibiting of bringing into this Realm of any forreign Cards for Wooll.

The Amendments and Additions in the Bill for the erecting of houses of Correction, and places of punishment of Rogues and sturdy Beggars, being twice read, upon the Question was ordered to be ingrossed.

The Bill concerning the possessions of the Bishoprick of *Norwich*, was upon the second reading committed to Mr. *Stevenson*, Mr. *Henry Hubberd*, Mr. *Henry Warner*, the Burgesses of *Norwich* and *Lynn*, Mr. *Nathaniel Bacon*, and others; and the Bill was delivered to Mr. *Henry Warner*: who with the rest were appointed to meet to morrow at two of the clock in the afternoon, in the Exchequer-chamber.

Bill for relief
of the Poor.

Mr. *Finch* one of the Committees in the sundry former Bills for the relief of the Poor, shewed the meetings and travel of the said Committees in sundry of the said Bills; in some of which as they have not as yet throughly proceeded, so he delivereth in a new Bill for the relief of the Poor into this House.

Decemb. 1.

On *Thursday*, Decemb. 1. two Bills were each of them read the first time; of which, the former was a Bill for provision of a Preacher in the Tower of *London*.

Two other Bills had each of them one reading; of which, the second being for maintenance and reparation of *Stains-bridge* and *Egham-Cawsey*, was upon the second reading committed unto Mr. *Geo. Moore*, Sir *Robert Wroth*, Mr. *Amersham*, and others: who were appointed to meet to morrow in the afternoon at two of the clock, in the Exchequer-chamber.

Also

Also four other Bills had each of them one reading; of which, the last being a Bill against Foresters, &c. was read the third time, and after sundry Speeches both with and against it, it passed upon the Question.

Two other Bills had each of them one reading; of which, the second being the Bill for the better execution of the Statute made 13 *Regine*, for the establishing of Logwood *alias* Blockwood, in the dying of Cloath, Wooll, or Yarn, was read the third time, and passed upon the Question.

On Friday, Decemb. 2. the Bill for the establishing of an Award made between *Edmond Cotton* Gent. and *Thomas Harvie* Yeoman, read *prima vice*.

Four other Bills had each of them one reading; of which, the last being a Bill to prevent double payment of Debts upon Shop-books, was upon the second reading committed unto Mr. *Jackson*, Mr. *Maynard*, Mr. *George Moore*, Sir *Edward Hobby*, Mr. *Wingfield*, Sir *Francis Hastings*, and others; who are appointed to meet to-morrow at two of the clock in the afternoon, in the Exchequer-chamber.

On Saturday, Decemb. 3. Four Bills had each of them one reading; of which, the last being the Bill for the speedy punishment of certain Felons, and the manner of their delivery, was read the first time.

The Amendments in the Bill for *Bristol* being twice read, the Bill was ordered to be ingrossed.

The Bill for recovery of surrounded waste Marshes and watery Grounds in the Isle of *Ely*, Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, and *Norfolk*, was upon the second reading committed unto Sir *Thomas Cecill*, the Knights of *Norfolk*, *Northampton*, *Lincoln*, *Cambridge*, *Huntington*, *Suffex*, and *Bedford*, the Burgesses of the Burroughs in the said Shires, Mr. *Oxborough*, and others: who were appointed to meet this afternoon at two of the clock, in the Exchequer-chamber.

The Bill for the Hospital called *Nevil's* Hospital in the County of *Tork*, had its third reading; and upon a Motion to have Mr. *Burde* Master of the said Hospital heard, before the Bill be put to the Question for the passing, day was given him to be heard with his Counsel in this House upon *Munday* next.

Five Bills were sent up to the Lords from the House of Commons by Mr. Controuler and others; of which, the first was the Bill against Foresters, &c. the second concerning *Arthur Hatch*, and the third was for the abolishing of Logwood *alias* Blockwood in dying of Cloaths.

The Bill that Leassees may enjoy their Leases, against Patentees in some certain cases, was upon the second reading committed unto Sir *Francis Hastings*, Sir *Thomas Hungerford*, Mr. Solicitor, Sir *Thomas Hobby*, Sir *Thomas Conisby*, Mr. *Telverton*, Mr. Controuler, Mr. *Henry Hubberd*, Mr. *Wiseman*, Sir *Robert Wroth*, and others: who were appointed to meet on *Tuesday* next in the afternoon-

39 *Eliz.*

Bill about
Logwood for
Dying.

2.

Bill to prevent
double payment
of Book-debts.

3.

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ternoon, in the Exchequer-chamber; and the parties concerned to bring their Counsel before the Committees.

4.

Decemb. 4. Sunday.

5.

On *Munday, Decemb. 5.* six Bills had each of them one reading; of which, the last being a Bill for erecting of houses of Correction and punishment of Rogues and Beggars, was read the third time, and passed upon the Question.

The Proviso in the Bill for draining of certain over-flown and surrounded Grounds in the County of *Norfolk*, was twice read, and the Bill and Proviso were ordered to be ingrossed.

Six Bills were this morning sent up to the Lords; of which, the two principal were, one concerning the Lands of *Sir Henry Hatton*, and the other to give power to *Sir John Spencer*, and *Dame Mary* his Wife, and *Robert* their Son, to alienate certain Mannors and Lands in the County of *Somerset*.

The Bill concerning Tellers and Receivers, &c. was upon the second reading committed to all the Privy Counsellors of this House, all the Serjeants at Law being of this House, *Sir Oliver Lambert*, Mr. Solicitor, Mr. *Tasborough*, Mr. *Francis Bacon*, Mr. Recorder of *London*, Mr. Controuler, Mr. *George Moore*, and others: who were appointed to meet in the Exchequer-chamber to morrow in the afternoon.

Dr. Muffet one of the Burgesses of *Wilton*, being licensed to depart, left 2 s. 6 d. with the Clerk of the House for the Poor and the Minister.

6.

On *Tuesday, Decemb. 6.* five Bills had each of them one reading; of which, the second being a Bill for establishing an Award made between *Edward Cotton* Gent. and *Thomas Harvey* Yeoman, was upon the second reading committed unto Mr. Serjeant *Harries*, Mr. *Henry Warner*, Mr. *Edward Lukener*, Mr. Recorder of *London*, and others; who were appointed to meet to morrow in the afternoon, in the Middle-Temple-hall.

The Amendments in the Bill for the Lord *Montjoy* being twice read, the Lord Marquis of *Winchester*, and the Lord *Montjoy*, with their learned Counsel, were heard at the bar of this House, before the said Bill and Amendments were put to the Question for ingrossing; and after their departure, the said Bill and Amendments was upon the Question ordered to be ingrossed.

7.

Bill against
lewd wan-
dring preten-
ded Souldiers
and Mariners.

On *Wednesday, Decemb. 7.* five Bills had each of them one reading; of which, the last being the Bill against lewd wandering persons pretending themselves to be Souldiers or Mariners, was upon the second reading committed unto *Sir William Moore*, Mr. *George Moore*, and others: who were appointed to meet this afternoon in the Exchequer-chamber.

The Bill also against stealers of Corn and Fruit, was upon the first and second reading committed to the former Committees in the Bill against lewd persons, &c.

The

The Bill against stretching and tainting of Northern Cloath, was read the second time, and ordered to be ingrossed.

The Bill for suppressing the multitude of Maultsters was read the second time, and committed to the Burgeses of *York*, Mr. *Winch*, Mr. *Telverton*, Mr. *Lukenor*, and others : who were appointed to meet to morrow in the afternoon, in the *Middle-Temple-hall*.

The Bill for increase of people for the strength and defence of the Realm, had its first reading.

39 *Eliz.*

Bill for increase of people.

Post Meridiem.

The Bill for granting unto her Majesty six Fifteens and Tenths, and three entire Subsidies, was read the first time.

Subsidy-bill.

On *Thursday, Decemb. 8.* three Bills had each of them one reading; of which, the third being the Bill for the better staying of Corn within the Realm, was upon the second reading committed unto Mr. *George Moore*, Mr. *Wiseman*, Mr. *Edmund Bacon*, Mr. *Colefield*, Mr. *Berkby*, and others : who were appointed to meet to morrow in the afternoon, in the *Middle-Temple-hall*.

8.

The Bill against the bringing in of forreign Cards for Wooll, was upon the second reading committed unto Mr. Serjeant *Haries*, Mr. Serjeant *Heale*, the Knights and Burgeses for *London*, Mr. *Hubberd*, and others : who were appointed to meet to morrow in the afternoon, in the *Middle-Temple-hall*.

The Bill concerning Fustians was upon the second reading committed unto the former Committees.

The Bill for the increase of people for the strength and service of this Realm, was upon the second reading committed unto all the Privy Counsellors being of this House, Mr. *Francis Bacon*, Mr. Solicitor, Mr. *Mountague*, Sir *Thomas Cecil*, Mr. *Pelham*, and others : who were appointed to meet this afternoon in the Exchequer-chamber.

Three other Bills had each of them one reading ; of which, the first being the Bill to alter the nature of Gavil-kind, was read the third time, and passed upon the Question.

Bill to alter the nature of Gavil-kind.

The Proviso in the Bill concerning the Town-lands of *Wanting*, was read the third time, and passed upon the Question.

On *Friday, Decemb. 9.* four Bills had each of them one reading; of which, the last being the Bill for the retaining, well ordering, and governing of Mariners and Sea-men, was upon the second reading committed unto all the Burgeses of the Port-Towns, the Burgeses for *York*, the Knights and Citizens for *London*, Dr. *Cesar*, Mr. *Whally*, and others : who were appointed to meet on *Munday* next in the afternoon, in *Middle-Temple-hall*.

9.

The Bill for establishing of good order in Grammar-schools was read the second time, and upon the several Questions for committing and ingrossing, was rejected.

Six other Bills had each of them one reading ; the last being a Bill for the confirmation of Statutes-Merchant acknowledged in

Bill to confirm the Statute-Merchant.

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the City of *Lincoln*, and Town corporate of *Nottingham*, was upon the second reading ordered to be ingrossed.

Seven Bills were sent up to the Lords by Mr. Controuler and others; of which, one was the Bill concerning Fustians, and another for the repairing of *Stains-bridge* and *Egham-cawley*.

The Bill for Tillage and Husbandry was read the first time.

The Amendments in the Bill for the recovery of certain waste marish and watery Grounds in the Isle of *Ely*, and the Counties of *Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk*, and *Sussex*, being twice read, the Bill upon the Question was ordered to be ingrossed.

The Bill for the Lord Marquiss of *Winchester*, upon the second reading was committed unto Mr. *Wingfield*, Dr. *Cesar*, Mr. *Maynard*, Mr. *Henry Mountague*, Mr. *Francis Moore*, and others: who were appointed to meet to morrow in the afternoon, in the Exchequer-chamber.

10.

On *Saturday*, *Decemb. 10.* three Bills had each of them one reading; of which, the last being a Bill against the decay of Highways in the Counties of *Sussex* and *Surrey*, was read the first time.

The Amendments in the Bill against stealing of Corn and Fruit, was twice read, and the Bill thereupon ordered to be ingrossed.

Three other Bills also had each of them one reading; of which, the second being the Bill for the well ordering of such as do practise the Science of Chirurgery, was read the second time, and after the doubtfulness of the Question three several times put, it was upon the division of the House dashed with the difference of 29 Voices, viz. with the No 102, and with the Yea 72.

Two Bills were sent up to the Lords by Mr. Chancellor of the Exchequer, and others; together with a third, being for the explanation of the Statute made 5 *Reginae*, concerning Labourers.

Mr. *Wiseman* one of the Committees in the Bill against bringing in of foreign Cards for Wooll, shewed the meetings of the Committees, and that eleven of the Committees did onely meet, and six of them do well like of the Bill, and five do not; and so deliver'd in the said Bill, and referred the further consideration thereof to the House.

Mr. Serjeant *Drewe* and Dr. *Stanhopp* brought from the Lords two Bills lately passed in this House, and now also passed with their Lordships, with some Additions and Amendments; the one of them being for erecting of Hospitals, or Abiding and Working-houses for the Poor, and the other for the establishing of the Queens Hospital in *Bristol*, and for the relief of the Poor and Orphans there.

11.

Sunday, Decemb. 11.

12.

On *Munday, Decemb. 12.* the Bill for redressing the abuses and deceits used in Painting, upon the second reading was committed unto

unto Mr. George Moore, Mr. Fettiplace, Sir William Cornwallis, Mr. Recorder of London, and others: who were to meet to morrow in the afternoon, in the Exchequer-chamber.

The Bill for confirming the Letters-Patents granted to the Merchant-Adventurers of the City of Exeter, was upon the second reading committed unto the Knights and Citizens for London, the Burgesses for York, Lynn, and Newcastle, Mr. Serjeant Heale, and others: who were appointed to meet this afternoon in the Middle-Temple-hall.

The Bill against the buying of Armour brought from beyond the Seas, was read the second time, and rejected upon the several Questions for the committing and ingrossing.

The Bill for provision of a Preacher in the Tower of London, was upon the second reading committed unto all the Privy Counsellors of this House, Mr. Henry Hubbert, Mr. Lieutenant of the Tower, Mr. Recorder of London, and others: who were appointed to meet to morrow in the afternoon, in the Exchequer-chamber.

Bill for a
Preacher in the
Tower of Lon-
don.

The Bill also for building of a bridge over the River Wye, was upon the second reading committed unto Sir Robert Wroth, Mr. Herbert Crofts, Mr. Serjeant Williams, Mr. Robert Knowls, Sir John Scudamore, Mr. Creswell, and others: who were appointed to meet to morrow in the afternoon, in the Middle-Temple-hall.

The Bill for the Lord Thomas Howard, was upon the second reading committed unto Mr. Chancellor of the Exchequer, Mr. Francis Bacon, Mr. Francis Moore, Mr. Winch, Mr. Solicitor, and others: who were appointed to meet upon Wednesday next in the afternoon, in the Treasury-chamber.

The Bill for the relief of the Poor was read the third time, and passed upon the Question.

On Tuesday, Decemb. 13. six Bills had each of them one reading; of which, the last being a Bill for the true making of Daggers, Swords, and Rapiers, and of the blades of every of them, was read the second time, and rejected upon the several Questions for the committing and ingrossing.

13.

The Amendments in the Bill for Bristol, was thrice read, and passed.

The Bill for the recovery of certain waste, marish, and watery Grounds in the Isle of Ely, and the Counties of Cambridge, Huntingdon, Northampton, Lincoln, Norfolk, and Suffolk, was read the third time, and passed upon the Question. Which Bill, and also the Bill for the relief of the poor which passed the House yesterday, were sent up to the Lords by Mr. Controulor and others.

The Bill for Husbandry and Tillage was read the second time; and after some Amendments therein by some of the Committees in the Committee-chamber of this House, the said Amendments being twice read, the Bill was ordered to be ingrossed.

On Wednesday, Decemb. 14. five Bills had each of them one reading; of which, the last being the Bill for granting of three Subsidies

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sidies, and six Fifteens and Tenths, was read the third time, and passed upon the Question.

Mr. Attorney-General and Dr. Stanhopp brought from the Lords a Bill lately passed in this Houle, entituled, *An Act for the explanation of the Statute made 1 Eliz. concerning Labourers*, shewing, that their Lordships have likewise passed the same, with some Amendments.

Two other Bills had each of them one reading; of which, the second being a Bill for the establishing of the possessions of the Bishoprick of *Normich*, was read the third time, and staid from being put to the Question for passing till to morrow, that the Counsel of one Mr. *Leicester* might be heard in this House.

Friday next is appointed to hear the Counsel learned of and concerning the Cause of Leasseees and Patentees.

15.

On *Thursday, Decemb. 15.* two Bills had each of them one reading; of which, the second being the Bill for the lawful making of Bayes, was read the third time, and passed upon the Question.

The Amendments in the Bill for the relieving of Cloathiers, concerning the weight of short, broad, and colour'd Cloaths to be made in the Counties of *Suffolk* and *Essex*, were twice read, and ordered to be committed.

The Bill for better staying of Corn within the Realm, passed upon the Question; and upon the division of the House, after many Arguments, with the difference of 29 Voices, *viz.* with the Yea 124, and with the No 85. Whereupon after a Motion, that according to the ancient custom of this House, all the Members of the same which did speak against the passing of the said Bill, should go forth of the House to bring in the Bill into the House again, together with the residue of the Members of this House which went out before with the passing of the said Bill, wherein as sundry Speeches were used *pro & contra*; so at last it was resolved, it should be so done and observed for orders sake accordingly. And then all the Members of this House being gone forth, saving Mr. Speaker and the Clerk, Mr. Controuler brought in the Bill in his hand, accompanied with all the Members of this House, and delivered the same Bill to Mr. Speaker according to the ancient former use of this House in that behalf observed.

Observation of
a Ceremony of
ancient custom
used in the
House of Com.

16.

On *Friday, Decemb. 16.* five Bills had each of them the third reading, and passed upon the Question; of which, one was against the stretching and taitering of Northern Cloath, and another against the transporting of Sheep-skins and Pelts: And a little after all the said Bills were passed in the House, they were sent up to the Lords by Mr. Controuler and others.

The Bill for confirmation of the Joynture of *Christian Lady Sands*, was upon the second reading committed to Mr. Controuler, Mr. Secretary, Mr. *Brodgrave* Attorney of the Dutchie, Sir *William Moore*, Mr. *Edward Lukenor*, Sir *Francis Hastings*, and others: who were appointed to meet to morrow in the afternoon, in the Exchequer-chamber.

After

After many Arguments in the Bill for increase of people for the service and strength of the Realm, both for and against it, a Motion was made, That a Proviso ingrossed in Parchment might be added to the same Bill; which being thrice read, and the Bill and Proviso put to the Question, the same did pass upon the Question, and it was then ordered, that the said Proviso should be inserted and written in the end of the said Bill, as parcel thereof.

39 Eliz.

On *Saturday, Decemb. 17.* the Bill for relief of Cloathiers, concerning weight of short, broad, coloured Cloaths to be made within the Counties of *Suffolk* and *Essex*, was read the third time, and passed upon the Question; and after upon the division of the House, with the difference of 26 Voices, viz. with the Yea 105, and with the No 79: Which being done, and a Motion thereupon made by some, That those that did sit against the Bill, might rise and go forth to fetch and bring in the Bill into this House, accompanied with the residue of the Members of this House, according to the ancient Orders in such cases used, Mr. Speaker did thereupon move, That in regard of the pretiousness of the present time, the Parliament being so neer an end, it might please this House, in yielding and assenting to the due allowance of the right of the said Order in the said course thereof, in the ceremony of bringing in this Bill, the execution of the same may be at this time omitted, in regard of the shortness of the same time; and was thereupon so assented unto, and ordered accordingly upon the Question.

17.

The usual Ceremony dispensed withal for this time.

The Bill for Husbandry and Tillage was read the third time, and passed upon the Question; and after many Arguments, was sent up to the Lords by Mr. Secretary and others.

Sunday, Decemb. 18.

18.

On *Munday, Decemb. 19.* the Amendments in the Bill concerning the confirmation and establishment of the deprivation of divers Bishops in the beginning of her Majesties Reign, being thrice read, the Bill with the Amendments, passed upon the Question.

19.

Two other Bills had each of them one reading; of which the second being the Bill against lewd and wandering persons pretending themselves to be Souldiers or Mariners, was read the third time, and referred, after sundry Speeches, to Sir *Robert Wroth*, and others, to go up presently into the Committee-chamber of this House, to amend some parts of the said Bill according to some of the said Motions.

Mr. Attorney-General and Dr. *Stanhopp* brought from the Lords a Bill passed with their Lordships, entituled, *An Act for the confirmation of the Subsidy granted by the Clergie*, and shewed, that their Lordships do recommend the same to this House for the speedy expedition of the same Bill in this House.

The Bill for confirmation of the Subsidy granted by the Clergy, *prima vice lect.*

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Mr.

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Mr. Attorney-General and Dr. Stanhopp brought from the Lords a Bill lately passed with their Lordships, with the good assent and agreement of the Parties, entituled, *An Act of Parliament for Arthur Hatch her Majesties Ward, for enjoying the Rectory and Parsonage of South-Moulton in the County of Devon, for certain years, reserving the usual Rent.*

20.

On Tuesday, Decemb. 20. the Bill for confirmation of the Subsidy granted by the Clergy, was read the second time, and passed upon the Question.

Mr. Recorder of London, one of the Committees in the Bill against lewd and wandering persons pretending themselves to be Souldiers or Mariners, shewed, That they had mended the said Bill in some parts thereof; which Amendments being twice read to the House, and before any allowance for the third reading of them, sundry Members of this House did argue to the parts of the said Bill and Amendments, both with and against it. After which, Committees were appointed in the said Bill against wandering Souldiers and Mariners; and also in the Bill concerning Leasseees and Patentees, against the next sitting of this Court; and to meet to morrow in the afternoon, in the *Middle-Temple* hall, who were as followeth: Mr. Recorder of London, Mr. Brodgrave Attorney of the Dutchie, Sir George Carewe, Mr. Hunt, and others; together with all other Committees in all other Bills formerly committed by this House, and not as yet expedited: all which are to meet at the aforesaid time and place, concerning such Bills as are committed unto them.

The House adjourned to the next month.

This day this Court was adjourned until the 11th of January next coming, at eight of the clock in the morning, by her Majesties commandment; and so likewise the Upper House.

Jan. 11.

Upon which 11 of January, being Wednesday, the House met again, and without any other further ceremony, proceeded in such ordinary Bills and businesses as had been left unperfected in the former meeting: The first of which (that is expressed in the Original Journal-book of the House of Commons) was the giving of the first reading unto the Amendments and Provisoes of the Lords, added unto the Bill lately passed in the House, and sent up to their Lordships, and again returned by them with the said Amendments and Provisoes, being entituled, *An Act for erecting of houses of Correction for punishment of Rogues, Vagabonds, and sturdy Beggars.*

The Amendments and Proviso of the Lords in the Bill lately passed in this House, for the relief of the Poor, was this day read in this House, for the first reading of the said Amendments and Proviso.

The Bill for *Arthur Hatch* her Majesties Ward, for enjoying the Rectory and Parsonage of *South-Moulton* in the County of *Devon* for certain years, reserving the usual Rent, was read the first time.

The

39 Eliz.

The Bill concerning the Highway-lands of *Alisbury* in the County of *Bucks*, was upon the second reading committed unto Mr. Chancellor of the Exchequer, Mr. Recorder of *London*, Mr. *Lee*, the Burgesles of *Alisbury*, Mr. *Boyer*, and others: who were appointed to meet this afternoon in the *Inner-Temple-hall*.

The Amendments and Proviso in the Bill to prevent double payment of Debts upon Shop-books, was deferred until to morrow to be considered of, for perfecting of the same, above in the Committee-chamber of this House.

Lastly, the Bill for taking away the benefit of Clergy from Robbers of houses in the day-time, though no person be therein, was read the first time.

On *Thursday, Jan. 12.* three Bills had each of them one reading; of which, the last being the Bill for the due execution of Ordinances made in Corporations, was upon the second reading committed unto Mr. *Philips*, Mr. Serjeant *Warberton*, Mr. *Finch*, Mr. *Wingfield*, Mr. *Pelham*, and others: who were appointed to meet to morrow in the afternoon, at Serjeants-Inne in *Chancery-lane*.

12.

The Bill for the Hundred of *Weynersh* alias *Beynerst*, in the County of *Berks*, was read the second time, and upon the Question it was ordered to be ingrossed.

The Amendments this day made by some of the Members of this House above in the Committee-chamber, in the Bill to prevent double payment of Debts upon Shop-books, were twice read, and upon the Question ordered to be ingrossed.

The Amendments and Provisoes of the Lords in the Bill lately passed in this House, entituled, *An Act for erecting of houses of Correction and punishment of Rogues, Vagabonds, and sturdy Beggars*, being twice read for the second and third reading of the same Amendments and Provisoes, were together with the said Bill, after sundry Speeches first had, referred to the further consideration and examination of Sir *Walter Rawleigh*, Mr. *Francis Bacon*, Mr. Solicitor, Mr. *Lukenor*, Mr. *Wingfield*, Sir *Edward Hobby*, Sir *William Cornwallis*, Mr. *Hext*, Mr. *Robert Wroth*, and Mr. Serjeant *Harries*: who were appointed to meet this afternoon, together with the other Committees against wandering Souldiers and Mariners, at Serjeants-Inne in *Chancery-lane*.

The Bill to reform Deceits and breaches of Trusts touching Lands given to charitable uses, was read the first time.

On *Friday, Jan. 13.* two Bills had each of them one reading; of which, the second being the Bill concerning *Garret de Malmes*, and *John Hunger*, Merchants strangers, was upon the second reading committed to the Knights and Burgesles of *London*, Mr. *Tho. Smyth*, Sir *Walter Rawleigh*, Mr. *Oldsworth*, and others: who were appointed to meet on *Munday* in the afternoon, at Serjeants-Inne in *Chancery-lane*.

13.

Two other Bills had each of them one reading; of which, the second being the Bill for the suppressing of unlawful and unfized bread,

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bread, was upon the second reading committed unto the Knights and Citizens of *London*, Mr. *Edward Hubbert*, the Burgesſes of *Cheſter*, *Worceſter*, *Oxford*, *Briſtol*, *Wincheſter*, and *Cambridge*, Serjeant *Harries*, and others: who were appointed to meet to morrow in the afternoon, at Serjeants Inne in *Chancery-lane*.

Mr. *John Aſton* one of the Burgesſes for *Droyt* in the County of *Worceſter*, is for his ſpecial buſineſſes, liſenſed by Mr. Speaker to depart.

14.

On *Saturday, Jan. 14.* two Bills had each of them one reading; of which, the ſecond being the Bill to avoid Deceit and breaches of Truſt touching Lands given to charitable uſes, was upon the ſecond reading committed unto Mr. Serjeant *Harries*, the Knights and Burgesſes for *London*, Mr. *Miles Sands*, and others: who were appointed to meet upon *Munday* next in the afternoon, at Serjeants-Inne in *Chancery-lane*.

The Bill for *Arthur Hatch* her Majeſties Ward, for enjoying the Rectory and Parſonage of *South-Moulton* in the County of *Devon*, for certain years, reſerving the uſual Rent, was read the third time, and paſſed upon the Queſtion.

Sir *Walter Rawleigh* renewing the Motion for Conference to be prayed with the Lords concerning their Lordſhips Amendments and Proviſoes in the Bill concerning erecting houſes of Correſtion and Punishment of Rogues and ſturdy Beggars, for the better reconciling of them with the Bill now begun againſt wandering Souldiers and Mariners; it was thereupon thought convenient by the Houſe, that the ſaid Sir *Walter Rawleigh*, accompanied with a convenient number of this Houſe, ſhould preſently repair to the Upper Houſe, to move for the ſaid Conference accordingly.

Which Conference the Lords granted, and appointed ſix of themſelves to meet with a convenient number of this Houſe, upon *Munday* next at eight a clock in the morning, in the ſecond chamber of the Upper Houſe.

15.

Sunday, Jan. 15.

16.

On *Munday, Jan. 16.* two Bills had each of them one reading; of which, the firſt being the Bill for explanation of and addition to an Act made 5 *Reginæ*, for maintenance of the Navy, was read *prima vice*.

Sir *Edward Hobby* moved, That the Serjeant of the Houſe be commanded to call one ---- *Leiceſter* to appear in this Houſe for ſerving a *Subpœna* on Sir *Henry Norris*; and alſo to warn one ----- *Stevens*.

Two Bills more had each of them one reading; of which, the firſt being the Bill concerning the Hoſpital of *Warwick*, was read the third time, and paſſed upon the Queſtion.

17.

On *Tuesday, Jan. 17.* four Bills had each of them one reading; of which, the laſt being the Bill for the aſſurance of the Joynture of *Joyce* the wife of *John Thornbrigge*, was read the ſecond time, and upon

upon the several Questions for committing and ingrossing, was rejected.

39 *Elix.*

The Bill for the reforming of sundry Abuses in the garbling of Spices and Drugs, was read the second time, and rejected upon the several Questions for the committing and ingrossing thereof.

Mr. Serjeant *Drewe*, and Dr. *Stanhopp* brought from the Lords a Bill concerning a Lease of great value, procured to be passed from her Majesty to *William Kirkham* Junior; which Bill their Lordships have passed, and do desire the speedy executing thereof in this House, the same Bill greatly importing her Majesty: whereupon the Bill was presently read in the House, *prima vice*.

On *Wednesday, Jan. 18.* eight Bills had each of them one reading; of which, the first being a Bill for the reviewing, continuance, and explanation of an Act for the necessary relief of Mariners and Souldiers, was read the first time; and the last being the Bill to tax all Lands and Goods for the payment of the Subsidies in the same Parish where it lieth, was read the first time, and rejected upon the Question for a second reading.

18.

The Committees in the Bill for restraining the excessive making of Mault, and the Committees in the Bill to restrain Deceits in breaches of Trust, were appointed to meet this afternoon in the Exchequer-chamber.

On *Thursday, Jan. 19.* the Bill for reuniting the Mannor of *Parrisgarden* in the County of *Surrey*, was upon the second reading committed unto Mr. *Brodgrave* Attorney of the Dutchie, Mr. *Newton*, Mr. *Wiseman*, Mr. Serjeant *Williams*, Mr. *Edmond Boyer*, and Mr. *Francis Moore*, and others; and the Bill, with the Committees Names, were delivered unto Mr. *Edmond Boyer*: who with the rest were appointed to meet to morrow in the afternoon, in the *Middle-Temple-hall*.

19.

The Bill for the repealing of a branch of a Statute made 34 *Hen. 8.* entituled, *The Ordinance for Wales*, was read the second time, and not being spoken against by any, was ordered to be ingrossed.

On *Friday, Jan. 20.* the Bill for the sale of the Lands and Goods of *John Sharpe*, to pay his Debts, was upon the second reading committed to Sir *John Hart*, Mr. *Henry Hubbard*, Mr. *Nevil*, Mr. *Thomas Smith*, Mr. *Southerton*, Mr. *Colebrand*, and others; and the Bill, with the Committees Names, were delivered unto Mr. *Southerton*: who with the rest were appointed to meet this afternoon in *Middle-Temple-hall*.

20.

The Bill that *Thomas Culpepper* and *John Culpepper* may dispose of their Lands, whereof they are Tenants in Tail, as other Tenants in tail may do; was read the second time, and committed unto Mr. *Barker*, Mr. Serjeant *Williams*, Mr. Serjeant *Harries*, and others; and the Bill and Committees Names were delivered to Mr. Serjeant *Williams*: who were appointed to meet this afternoon in the *Middle-Temple-hall*.

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21.

On *Saturday, Jan. 21.* two Bills had each of them their first reading; of which, the last was against carrying of Corn or Grain out of the Realm at certain times.

Mr. *Francis Goodwyn*, one of the Committees in the Bill concerning the Highway-lands of *Alisbury* in the County of *Bucks*, brought in the Bill with some Amendments; which being twice read, the Bill was upon the Question ordered to be ingrossed.

Mr. *Waldgrave*, one of the Committees in the Bill to prohibit the carrying of Herrings beyond the Seas, shewed their meeting, and their Amendments of the Bill; the Bill being twice read, upon the Question it was ordered to be ingrossed.

22.

Sunday, Jan. 22.

23.

On *Munday, Jan. 23.* three Bills had each of them one reading; of which, the third being a Bill for explanation of a Saving in a Stat. made 27 *Reginæ*, entituled, *An Act for the better foundation and relief of the Poor of the Hospital of Eastbridge in the County of Kent*, was read the second time, and rejected upon the several Questions of the committing and ingrossing.

Sir *John Hart*, one of the Committees in the Bill concerning *Garret de Malmes* and *John Younger*, Merchants strangers, shewed the meeting and travail of the Committees, and their making of a new Bill, for sundry considerations then opened by him, and so delivered in to the House both the old Bill and the new.

24.

On *Tuesday, Jan. 24.* the Bill concerning *Garret de Malmes* and *John Younger*, Merchant strangers, had its first reading, being a new Bill brought in by the Committees, who had thought fit the old Bill should be rejected.

The new Bill also for the disposing of certain Lands of Mr. *Tho. Knivett*, was read the first time, after the old Bill had been rejected by the Committees thereof.

The Bill for confirmation of the Joynture of *Mary Lady Verney*, was upon the second reading committed unto Mr. *Philips*, Mr. *Sands*, Mr. *Snigg*, and others; and the Bill, with the Committees Names, delivered to Mr. *Snigg*: who were appointed to meet this afternoon in the *Middle-Temple-hall*.

25.

On *Wednesday, Jan. 25.* Mr. *Snigg*, one of the Committees in the Bill for confirmation of the Joynture of *Lady Mary Verney*, the Wife of Sir *Edmond Verney*, shewed the meeting and travail of the Committees, and some few Amendments in the said Bill, and so delivered in the Bill.

Three Bills had each of them one reading; of which, the second being the Bill for avoiding of deceits in Measures and Weights, was read *prima vice*.

The Committees in the Bill for the better measuring of seven miles from the Town of *Great Yarmouth*, are ordered to meet this afternoon in the *Exchequer-chamber*.

A Bill for the measuring 7 miles from Yarmouth.

The

The Committees in a Bill for the reviving, continuing, and explanation of an Act for the necessary relief of Souldiers and Mariners, are likewise to meet this afternoon in the Exchequer-chamber.

39 *Elix.*

On *Thursday*, Jan 26. two Bills had each of them one reading ; of which, the second being the Bill concerning *Garret de Malmes* and *John Younger*, Merchant strangers, was read the second time, and ordered upon the Question to be ingrossed.

26.

Mr. *Arnold*, one of the Committees in the Bill for the reviving, continuing, and explanation of an Act for the necessary relief of Mariners and Souldiers, prayed a new day for the meeting of the said Committees ; whereupon Mr. *Arnold*, Sir *Henry Norris*, Sir *Gilley Merricke*, Sir *Oliver Lambert*, the Knights and Burgesses for *London*, and twenty three others, were nominated and appointed to meet this afternoon in the *Middle-Temple*-hall about it.

On *Friday*, Jan. 27. the Bill that Plaintiffs shall pay the Defendants their Costs, lying in Prison for want of Bail, if the Action pass against the Plaintiff, was read the second time, and committed to Mr. *Sands*, Mr. *Boyes*, Mr. *Snigg*, Mr. *Crooke*, the Recorder of *London*, and others : who were appointed to meet this afternoon in the *Temple*-hall.

27.
A Bill that the Plaintiff pay the Defendants cost lying in prison for want of Bail, if the Action pass against the Plaintiff.

The Committees likewise in the Bill for execution of Judgment, and the Committees in the Bill for avoiding deceits in Measures and Weights, were likewise appointed to meet at the same time and place ; which was now upon the second reading committed to the former Committees in the Bill that the Plaintiffs shall pay the Defendants their Costs ; and Mr. *Johnson* was added unto them.

The Bill for punishment of Rogues, Vagabonds, &c. was read *prima vice*.

On *Saturday*, Jan. 28. the Bill for punishment of Rogues, Vagabonds, &c. was read the second time, and committed to some Members of this House, to be considered of in the Committee-chamber of this House.

28.

The Bill for confirmation of Lady *Mary* the wife of Sir *Edmond Verney* Kt. her Joynture, was read the third time, and passed upon the Question.

Goodale, one of the adverse parties to the Bill concerning the Highway-lands of the Town of *Alisbury*, being present in this House and praying some words to be inserted into the Bill ; which being upon due and deliberate consideration of this House admitted to be inserted accordingly, and three times read, the Bill was put to the Question and passed accordingly.

Sunday, Jan. 29.

29.

On *Munday*, Jan. 30. the Bill concerning *Garret de Malmes* and *John Hunger*, Merchant strangers, was read the third time.

30.

There

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There were seven Bills this morning sent up to the Lords from this House by Mr. Secretary and others ; of which, the first was the Bill for punishment of Rogues, &c. the second, for the lawful making of Bayes ; the third, to reform deceits and breaches of Trust touching Lands given to charitable uses : with order also to move their Lordships for Conference, some time after this present day, with their Lordships concerning the Bill lately passed with their Lordships, and sent down by them unto this House, entituled, *An Act to reform sundry abuses committed by Souldiers and others, used in her Majesties service concerning the Wars.*

31.

On *Tuesday, Jan. 31.* the Bill concerning the confirming of Statute-Merchants, acknowledged in the Town of *Newcastle upon Tyne, prima vice lect.*

The Amendments in the Bill for reviving, continuing, and explanation of an Act for the necessary relief of Mariners and Souldiers, being twice read, the Bill was ordered to be ingrossed.

The Amendments in the Bill for avoiding deceits in Measures and Weights, were twice read ; and after sundry Speeches had, *pro & contra*, the learned Counsel of the Clerk of the Market being upon a Motion of some of this House, admitted to be heard at the bar, and called for that purpose by the Serjeant of this House to come in, the Serjeant shewed, that the said Clerk of the Market was gone down into the Hall to fetch his Counsel : in the mean time the House entering into another Cause, the said Bill was thereupon committed to be put to the Question for ingrossing.

Feb. 1.

On *Wednesday, Feb. 1.* three Bills had each of them one reading ; of which, the last being the Bill for reviving, continuing, and explanation of an Act for the necessary relief of Mariners and Souldiers, was read the third time, and passed upon the Question.

Bill against
excess in Ap-
parel.

The Amendments in the Bill against the excess of Apparel, was read the second time, and ordered upon the Question to be ingrossed.

Bill for main-
tenance of Ho-
spitality.

The Bill for maintenance of Hospitality, and for increase of all Victual and Flesh, whereby the Poor shall be much relieved, was read the second time, and rejected upon the several Questions for committing and ingrossing.

3.

On *Friday, Feb. 3.* the Bill to restrain the lading of Corn in some Ports, was upon the second reading committed unto Mr. *Colebrand*, Mr. *Hext*, Sir *Thomas Munson*, Mr. *Arnold*, the Burgeses of the Port-Towns, and others: who were appointed to meet this afternoon in the *Middle-Temple-hall*.

The Bill also for the restraint of carrying of Corn out of the Realm, was read the second time, and committed to the last former Committees ; and the same time and place was appointed for meeting of both Committees, and both the Bills were delivered to Mr. *Colebrand*.

The

The Bill against excess in Apparel was read *tertia vice*, and passed upon the Question.

39 Eliz.

On *Saturday, Feb. 4.* Mr. *John Sherley*, one of the Committees in the Bill for better execution of Judgments, shewed the meeting and travail of the said Committees, and some Amendments they had made in the said Bill; and so delivered in the Bill and Amendments to the House.

4.

The Bill for building and erecting of a bridge over the River of *Wye* at *Wilton*, upon *Wye* neer the Town of *Ross* in the County of *Hereford*, was read the third time, and passed upon the Question.

Dr. *Carewe* and Dr. *Stanhopp* did bring from the Lords a Bill passed in this House, and sent up to their Lordships, entituled, *An Act for the establishing a Joynture to Anne Lady Wentworth now Wife of William Pope Esq; and for the better enabling William Pope, aforesaid, to sell certain of his Lands for the payment of his Debts.* And another for the confirmation of the Joynture of the Lady *Verney*, Wife of Sir *Edmond Verney* Knight; which Bill their Lordships have also passed, with some Amendments.

Sunday, Feb. 5.

5.

On *Munday, Feb. 6.* two Bills had each of them one reading; of which, the first being the Bill for the reformation of retailing, and Pawn-takers, was read the first time.

6.

Mr. *Boyes*, one of the Committees in the two Bills, the one against carrying Corn out of the Realm, and the other to restrain the lading of Corn in some Ports, shewed the meeting of the Committees, and that they had made some Amendments in one of the same Bills; and so delivered the said Bills into the House.

Mr. *Francis Bacon*, one of the Committees in the Bill late passed in the Upper House by the Lords, and sent down to this House, against the decaying of Towns and houses of Husbandry, shewed the meeting of the Committees, and their Amendments in the said Bill; which being read to the House, were very well liked of by the whole House.

Bill against the decaying of Towns and houses of Husbandry.

On *Tuesday, Feb. 7.* two Bills had each of them one reading; of which, the second being a Bill for establishing a Joynture to *Anne Lady Wentworth*, now Wife of *William Pope* Esquire, and for the better enabling of the said *William* to sell certain Lands for payment of his Debts, was read the second time, and committed to Mr. Controuler, Mr. *Lukenor*, Mr. *Francis Bacon*, Mr. *Oglethorpe*, and the Knights and Burgeesses of *London*, and twenty four others: who were appointed to meet this afternoon in the Court of Wards.

7.

The Amendments and Provisoos of the Lords in a Bill lately passed in this House, entituled, *An Act for the reviving, continuing,*

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and

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and repealing of divers Statutes, being thrice read, the Amendments were assented unto, and the Provisoes were passed upon the Question.

8. On Wednesday, Feb. 8. the Bill entituled, *An Act for the establishing of a Joynture to Anne Lady Wentworth, now Wife of William Pope Esquire, and for the better enabling of the said William to sell certain of his Lands for the payment of his Debts*; and the Bill entituled, *An Act for the enabling Edmond Moleneux Esquire to sell Lands for the payment of Debts and Legacies*; and the Bill entituled, *An Act against the deceitful stretching of Northern Cloath*; and the Bill entituled, *An Act for the further continuing and explanation of an Act for the necessary relief of Souldiers and Mariners, made thirty five Regioz*, were sent up to the Lords by Mr. Controulr and others.

The Bill for the reformation of abuses in Wine-casks was read the third time, and dashed upon the Question.

The Bill for the better execution of Judgments was read the third time, and passed upon the Question.

9. On Thursday, Feb. 9. the Bill entituled, *An Act for reformation of Retailing-Brokers, and other Pawn-takers*; the Bill, entituled, *An Act that Lessees may enjoy their Leases against all Patentees, their Heirs, and Assignees, notwithstanding any default of payment of their Rents during the time that the Reversion or Inheritance remained in the Crown*; and a Bill entituled, *An Act for the better execution of Judgments*; were sent up to the Lords by Mr. Controulr and others.

The Bill for the Queens Majesties most gracious Pardon was once read, and passed upon the Question.

Nota, That whereas to the passing of other Bills three several readings are required, here the Bill for her Majesties most gracious Pardon passed upon the first reading.

Mr. Serjeant *Dreme* and Dr. *Carewe* brought from the Lords the Bill entituled, *An Act for the grant of three Subsidies, and six Fifteenths and Tenths*; and did shew that their Lordships in like manner have passed the said Bill; and so delivered the same to Mr. Speaker, to the end that he might carry the same up to the Upper House to be presented by him unto her Majesty, in the name of the whole House.

Post Meridiem.

The Queens Majesty came to the Upper House soon after three of the clock; of which, the House of Commons having notice, repaired thither with *Christopher Telverton* Serjeant at Law their Speaker, who having in the name of the whole House presented her

her Majesty with the Bill of three Subsidies, and six Fifteenths and Tenths, amongst other things, desired her Majesties Royal assent to such Laws as had passed the two Houses. He was answered according to her Majesties command, by the Lord Keeper, That she thankfully accepted of the said Gift of her loving Subjects, and very well allowed of the said Speakers pains and Speech.

Then Mr. *smith* the Clerk of the Upper House, having read the Titles of all the Acts, her Majesty gave her Royal assent to twenty four publick Acts, and nineteen private; and refused fourty eight which had passed both the Houses. After which, Sir *Thomas Edgerton* Knight, Lord Keeper of the great Seal of *England*, by her Majesties commandment dissolved this present Parliament.

39 *Eliz.*

*The Quasseth
24 publick
Acts, and 19
private Acts,
and refuses 48
Acts that had
passed both
Houses, and
then dissolves
this Parl.*

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An exact Journal of the Passages of the Upper House of Parliament, holden at Westminster anno 43 Eliz. Reginae, annoq; Dom. 1601. which began on Tuesday 27 Octob. and there continued until 19 Decemb. next ensuing.

ON Tuesday, Octob. 27. the Parliament held according to the Summons that had been sent forth, and the Queens Majesty was personally present in the Upper House about three of the clock in the afternoon: her Majesty came accompanied with the Lord Keeper of the great Seal, and divers of the Nobility and Bishops. There were present, all sitting in their Parliament-Robes according to their severall places, these Noble Personages following.

Oct. 27.
The Qu. comes
to the House
of Peers.

The Archbishop of *Canterbury*.
Sir *Tho. Edgerton*, Lord Leeper
of the great Seal.

The Lord *Buckhurst*, Lord Treasur-
er of *England*.

The Marquis of *Winchester*.

The Earl of *Suffex*, Earl Mar-
shal of *England*.

The Earl of *Nottingham*, Lord
High-Admiral of *England*,
and Lord Steward of her
Majesties Household.

The Earl of *Northumberland*.

The Earl of *Shrewsbury*.

The Earl of *Derby*.

The Earl of *Worcester*.

The Earl of *Cumberland*.

The Earl of *Hertford*.

The Earl of *Lincoln*.

BISHOPS.

The Bishop of *London*.

The Bishop of *Durham*.

The Bishop of *Winchester*.

The Bishop of *Rocheſter*.

The Bishop of *Coventry* and
Litchfield.

The Bishop of *Worcester*.

The Bishop of *Bath* and *Wells*.

The Bishop of *St. Davids*.

The Bishop of *Lincoln*.

The Bishop of *St. Affaph*.

The Bishop of *Cheſter*.

The Bishop of *Chicheſter*.

The Bishop of *Exeter*.

The Bishop of *Salisbury*.

The Bishop of *Ely*.

The Bishop of *Peterborough*.

BARONS.

The Lord *Zouche*.

The Lord *Cobham*.

The Lord *Stafford*.

The Lord *Grey de Wilton*.

The Lord *Dudley*.

The Lord *Lumley*.

The Lord *Sturton*.

The Lord *Windsore*.

The Lord *Mordant*.

The Lord *Wharton*.

The Lord *Rich*.

The L. *Willongbby* of *Parham*.

The Lord *Sheffield*.

The Lord *Darcy* of *Chicheſter*.

The Lord *Chandois*.

The Lord *St. John* of *Bletsſoe*.

The Lord *Compton*.

The Lord *Norreys*.

The Lord *Howard* of *Walden*.

List of the
Peers then pre-
ſent.

An. 1601.

Lord Keeper's
Speech.

Sir Thomas Edgerton Kt. Lord Keeper of the great Seal of England, made a Speech to this effect.

HE used strong perswasions both to Thankfulness and Obedience; and also shewed, her Majesty desired the Parliament might end before *Christmas*. He shewed the necessity we stand in, and the means to prevent it; the necessity of the Wars between *Spain* and *England*, the means and treasure we had to oppose. His advice was, that Laws in force might be revised and explained, and no new Laws made.

The causes of the Wars, he laid down to be, that they were Enemies to God, the Queen, and the Peace of this Kingdom: that they conspired to overthrow Religion, and to reduce us to a tyrannical Servitude.

These two Enemies he named to be, the Bishop of *Rome*, and the King of *Spain*. Our Estate standing thus, he advised us to be provident, by reason we deal with circumspect Enemies, and said, he was confident of good success, because God hath ever, and he hoped ever would bless the Queen with successful fortune. He shewed how apparent his providence was; for by experience and judgment, his tortering he giveth, the means and courses he taketh for our instructions: And secondly, the success we had against him by Gods strong arm of defence in *Anno* 1588, and divers others times since.

You see to what effect the Queens support of the French Kings Estate hath brought him to, even made him one of the greatest Princes in *Europe*; yet when her Majesties Forces there left him, how again he was fain to ransom a servile Peace at the hands of our Enemies the *Spaniards*, with dishonourable and servile Conditions.

For the *Low Countries*, how by her aid, from a confused Government and Estate, she brought them to an unity in Council, and defended them with such success in her Attempts against the greatest power of the *Spaniards* tyrannical designs; which have so much galled him, that how many desperate practices have been both devised, consented unto, and set on foot by the late King his Father, I need not shew you, nor trouble you with Arguments for proof thereof, being confessed by them that should have been Actors themselves thereof; but *De mortuis nil nisi bonum*. I would be loath to speak ill of the dead, much more to slander the dead. I have seen her Majesty wear at her Girdle the price of her own blood; I mean, Jewels that have been given to her Physicians to have done that unto her which God will ever keep her from; but she hath worn them rather in triumph, than for the price, that hath not been valuable.

Receivers of
Petitions.

Receivers of Petitions for *England, Ireland, Wales, and Scotland*. Sir John Popham Kt. Lord Chief Justice, Francis Gawdy one of the Justices of the Kings-bench, George Kingsmill one of the Justices of the Common-Pleas, Dr. Carewe, and Dr. Stanhopp.

Re-

Receivers of Petitions for *Gascoigne*, and other Lands and Countries beyond the Seas, and of the Isles. Sir *Edm. Anderson* Kt. Lord Chief Justice of the Common-Pleas, Sir *William Periam* Kt. Lord Chief Baron, *Thomas Walmesly* one of the Justices of the Common-Pleas, Dr. *Swale*, and Dr. *Hene*.

43 *Elix.*

Triers of Petitions of *England, Ireland, Wales, and Scotland*. The Archbishop of *Canterbury*, the Marquis of *Winchester*, the Earl of *Suffex* Lord Marshal of *England*, the Earl of *Nottingham* Lord High Admiral of *England*, and Steward of the Queens house, the Earl of *Hertford*, the Bishop of *London*, the Bishop of *Durham*, the Bishop of *Winchester*, the Lord *Zouche*, and the Lord *Cobham*: All these, or any four of them, calling unto them the Lord Keeper of the great Seal, and the Lord Treasurer, and the Queens Serjeants, at their leisures to meet and hold their place in the Chamberlain's chamber.

Triers of Petitions.

Triers of Petitions for *Gascoigne*, and other Lands and Countries beyond the Seas, and the Isles. The Earl of *Oxford* High Chamberlain of *England*, the Earl of *Northumberland*, the Earl of *Shrewsbury*, the Earl of *Worcester*, the Earl of *Huntingdon*, the Bishop of *Rocheſter*, the Bishop of *Lincoln*, the Lord *Hunsdon* Chamberlain to the Queen, the Lord *De-la-ware*, the Lord *Lumley*, the Lord *Burleigh*: All these, or any four of them, calling to them the Queens Serjeants, and the Queens Attorney and Sollicitor, to hold their place, when their leisure did serve them, to meet in the Treasurer's chamber.

Then the Lord Keeper continued the Parliament; which is set down in the Original Journal-book in these words: *Dominus Custos Magni Sigilli, ex mandato Domine Regine, continuavit presens Parliament. usq; in diem Veneris prox. futur. viz. 30 diem Octob.*

On Friday, *Octob. 30.* about one of the clock in the afternoon, her Majesty came by water to the Upper House; and being apparelled in her Royal Robes, and placed in her Chair of Estate, divers of the Lords Spiritual and Temporal being present, the Knights, Citizens, and Burgesſes of the House of Commons, who had attended at the door with *John Crooke* Esq; Recorder of *London*, their Speaker elect, the full space of half an hour, were at last, as many as could be conveniently, let in: And the said Speaker was led up to the bar at the lower end of the said House by Sir *William Knolls* Kt. Controuler of her Majesties Household, and Sir *John Fortescue* Chancellor of the Exchequer, and presented to her Majesty; to whom, after he had made three low Reverences, he spake in effect as followeth.

30.

John Crooke Esq; Recorder of London, presented as Speaker.

Most sacred and mighty Sovereign,

U Pon your commandment, your Majesties most dutiful and loving Commons, the Knights, Citizens, and Burgesſes of the Lower House, have chosen me, your Majesties most humble servant, a Member of the same House, to be their Speaker; but my self finding

His Speech.

An. 1601.

ding the weakness of my self, and my ability too weak to undergo so great a burthen, do most humbly beseech your sacred Majesty to continue your most gracious favour towards me, and not to lay this Charge, so unsupportable, upon my unworthy and unable self: And that it would please you to command your Commons to make a new Election of another more able and more sufficient to discharge the great Service to be appointed by your Majesty and your Subjects.

And, I beseech your most excellent Majesty, not to interpret my denial herein to proceed from any unwillingness to perform all devoted dutiful service, but rather out of your Majesties clemency and goodness, to interpret the same to proceed from that inward fear and trembling which hath ever possessed me, when heretofore with most gracious audience it hath pleased your Majesty to license me to speak before you: For I know, and must acknowledge, that under God, even through your Majesties great bounty and favour, I am that I am. And therefore, none of your Majesties most dutiful Subjects more bound to be ready, and being ready, to perform even the least of your Majesties commandments.

I therefore do most humbly beseech your Majesty, that in regard the service of so great a Prince and flourishing Kingdom may the better and more effectually be effected, to command your dutiful and loving Commons the Knights, citizens, and Burgeses of the Lower House, to proceed to a new Election.

Nov. 5.

Bill against
excessive and
superfluous use
of Coaches.

On Tuesday, Nov. 5. were two Bills read; of which, the first being for assurance of Land, and the second for the restraint of the excessive and superfluous use of Coaches within the Realm of England, were each of them read *prima vice*.

Dominus Custos Magni Sigilli continuavit præsens Parliament. usq; in diem Sabbati, 7 Novemb. hora decima.

7.

On Saturday, Nov. 7. the Bill for assurance of Lands was read *secunda vice*, and committed unto the Archbishop of Canterbury, the Lord Treasurer, the Earl of Nottingham, the Earl of Worcester, the Earl of Cumberland, the Earl of Lincoln, the Lord Bishop of London, the Lord Bishop of Durham, the Lord Bishop of Winchester, the Lord Zouche, the Lord Cobham, the Lord Grey, the Lord Rich, and the Lord Howard of Walder; and the Lord Chief Justice of her Majesties Bench, the Lord Chief Justice of the Common-Pleas, the Lord Chief Baron, and Mr. Attorney-General, were appointed to attend their Lordships.

10.

On Tuesday, Nov. 10. two Bills had each of them one reading; of which, the second being the Bill for preservation of Pheasants and Partridges, was read *secunda vice*, and committed to the Lord Archbishop of Canterbury, the Lord Treasurer, the Earl of Nottingham, the Earl of Northumberland, the Earl of Derby, the Earl of Worcester, the Earl of Cumberland, the Earl of Pembroke, the Earl of Lincoln, the Bishop of London, the Bishop of Durham, the Bishop of Winchester, the Bishop of Lincoln, the Bishop of Ely, the Lord Zouche, the Lord Cobham, the Lord Grey, the Lord Mordant, the

the Lord *Rich*, the Lord *Sheifield*, the Lord *Chandois*, the Lord *Compton*, the Lord *Howard* of *Walden*; and the Lord Chief Justice of her Majesties Bench, the Lord Chief Justice of the Common-Pleas, and the Lord Chief Baron, to attend the Lords: And the Bill was delivered to the Archbishop of *Canterbury*.

On *Thursday*, Nov. 12. (to which day the Parliament had been last continued) the Bill concerning *Musters*, *Souldiers*, and other things, was read *secunda vice*, and committed unto the Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham*, six other Earls, eight Bishops, the Lord *Zouche*, the Lord *Cobham*, and eight other Barons; and the Lord Chief Justice of the Common-Pleas, Mr. Justice *Walmesly*, Mr. Justice *Warberton*, Mr. Serjeant *Telverton*, and Mr. Attorney-General, were appointed to attend the Lords.

On *Saturday*, Nov. 14. (to which day the Parliament had been last continued) request was made by Mr. *Connisby* Gent. Usher to the House, and signified by the mouth of the Earl of *Nottingham* Lord Steward, That forasmuch as the bringing of any person before the Lords, upon the breach of the Priviledge of the House, did appertain, as the said Mr. *Connisby* supposed and alleadged, to his place, though in the last Parliament, by some mistake, the Serjeant at Arms was employed therein; that therefore their Lordships would be pleased to confirm and settle such Order, as he might at this time and henceforth have the right of his place in that behalf. Whose Request being considered by the Lords, it was thought meet, That the Lord Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham*, the Earl of *Worcester*, the Lord Bishop of *Winchester*, the Lord *Zouche*, and the Lord *Cobham*, should at their next meeting upon any other occasion, take notice of such Presidents as could be produced therein, either for the Gentleman-Usher, or for the Serjeant at Arms; and thereof to make Report to the House: Whereupon their Lordships would proceed to the deciding of the Question between them.

Sunday, Nov. 15.

On *Munday*, Nov. 16. (to which day the Parliament had been last continued) the Bill for reuniting *Eye* and *Dunsden* to the Manor of *Sunning*, was read *secunda vice*.

Dominus Custos Magni Sigill. continuavit præsens Parliament. usq; ad diem Jovis, viz. 19 Novemb.

On *Thursday*, Nov. 19. the Bill for the breed and increase of Horses of Service within the Realm, was read *prima vice*.

Two Bills were brought up to the Lords from the House of Commons; of which, the second was to avoid and prevent divers Misdemeanours in lewd and idle persons; and the other was for the confirmation of Grants made to her Majesty, and of Letters-Patents made by her Majesty to others.

12.

14.

15.

16.

19.

Bill for increase of Horses of service.

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One of the Qu.
servants com-
plains of an
Arrest.

He is ordered
to give Bond
to abide Judg-
ment, &c.

Those who ar-
rested him, to
appear at the
Lords Bar.

The Lord *Mordant* being not able to attend for want of health, certified so much to the House by the Lord *Compton*.

This day *William Hogan* was brought into the House from the *Fleet*; who having made relation of his Arrest, and the time when, and of the parties that arrested him, declaring that he was arrested by the Under-Sheriff of *Surrey*, and others, upon the *Saturday* before the beginning of this Parliament, and that it was known unto the said Under-Sheriff that he was her Majesties servant in Ordinary, and that he thought *Tolkerne* who was the Creditor, was not privy to the Arrest, contrary to the Priviledge of that Court; upon the Offer and Petition of the said *William Hogan*, it was ordered, That the said *William Hogan* should enter into sufficient Bond to abide the Order and Judgment of the Earl of *Cumberland*, the Lord Bishop of *London*, and the Lord *Zouche*, for such satisfaction to be made of the Debt of 50*l.* and any Costs and Charges as by the said Lords should be thought fit, the Bond to be taken to the said Lords, and thereupon to be discharged out of Prison and Execution. And likewise, that the Warden of the *Fleet* should be free from any trouble, or damage, or molestation, for discharge of the said *William Hogan*.

It was likewise ordered by the Court, That the Under-Sheriff and any others that did arrest, or assist the Arrest of the said *William Hogan*, shall be sent for to appear before the Lords in the House, on *Saturday* next, by nine of the clock in the morning.

21.

On *Saturday*, Nov. 21. (to which day the Parliament had been last continued) three Bills had each of them one reading; of which, the last being the Bill for assurance of Lands, was read *tertia vice*.

Upon the reading of which Bill, sundry Objections were made against some points of the same by the Lord Bishop of *London*, and divers other Lords, insomuch that the House was divided, Whether it should be put to the question for the passing thereof, or no? many of the Lords affecting well the said Bill, and wishing that any defect therein might rather be reformed, than by the Question to put it to the hazard to be rejected. Upon which, it was thought meet to propound another Question, *viz.* Whether the said Bill, having been referred to Committees at the second reading, and by them returned with some Amendments, and thereupon appointed to be ingrossed, may now, after the ingrossing thereof, and third reading, be committed again, or no? Which being accordingly put to the question, and the number both of the affirmative part and negative part falling out to be equal, upon the accompting of them by the Lord Bishop of *London* and the Lord *Grey*, appointed by the Lords for that purpose, it was adjudged that the Voices of the negative part, which were against the new committing of the Bill, should prevail, following therein the usual rule of Law, whereof the Lord Keeper made mention, that where the numbers of the affirmative and negative are equal, *Semper presumetur pro negante*; and after that, the Bill it self being put to the question, Whether it should pass or no, was by the major part denied and refused.

Ex-

When the Votes
are equal for
the Affirmative
and Negative,
the Negatives
by custome, are
to carry it.

43 Eliz.

Excuses were made for the absence of divers Lords, by reason of sickness or other reasonable occasions: The Marquis of *Winchester*, the Earl of *Nottingham*, and the Earl of *Hertford*, signified by some of their Servants to the Lord Keeper; the Earl of *Cumberland*, and the Lord *Scroope*, signified by the Lord *Wharton*; the Lord *Rich*, by the Lord *Zouche*; the Lord *Mordant*, by the Lord *Sturton*; the Lord Bishop of *Coventry*, by the Bishop of *Meaneven*; and the Bishop of *Chester*, by the Bishop of *Bangor*.

A Motion was made by the Lord Keeper, and approved of by the Lords, That the ancient course of the house may be observed hereafter, in certifying the Excuses of such Lords as should happen to be absent from the House upon reasonable occasions, which ought to be done by one of the Peers, and not by other information.

Thomas Crompton, *Henry Best*, and *Francis Jackson*, made their appearance in the House, and being demanded whether the Bill concerning *Eye* and *Dunsden* might lawfully pass without their prejudice, they answered, That it might so do, and they could take now exceptions to it.

On *Munday*, Nov. 23. (to which day the Parliament had been last continued) the Bill for reuniting *Eye* and *Dunsden* to the Mannor of *Suning*, was read *tertia vice*; and so sent down to the House of Commons by Dr. *Stanhopp* and Mr. *Hone*.

The Bill to avoid divers Misdemeanours in lewd and idle persons, was read *secunda vice*.

The Bill for confirmation of Grants made to the Queen, and of Letters-Patents made by her Highness to others, was read *secunda vice*, and committed to the Lord Archbishop of *Canterbury*, and others: who were appointed to meet at the great Council-chamber; and the Bill was delivered to the Archbishop.

The Bill for increase of Horses of service within this Realm, was read *secunda vice*, and committed to the Earl of *Nottingham*, and others; and the Bill was delivered unto him, being the first of the Committees.

The meeting of the Committees for the suppressing of the multitude of Ale-houses, and for avoiding of unnecessary delays of Executions upon Judgments for Debt, was upon a Motion of the Lord Treasurer, appointed to be upon *Thursday* next, at the little chamber near the Parliament-presence, before the House sit; for that the Committees could not conveniently meet at the times formerly appointed for the same.

The Under-Sheriff of the County of *Surrey* that arrested *William Hogan*, was brought into the House to answer for the same, and by Order of the House committed to the Prison of the Fleet.

The Under-Sheriff sent to the Fleet for arresting Hogan.

On *Tuesday*, Nov. 24. (to which day this Parliament had been last continued) three Bills had each of them one reading; of which, the last being the Bill for the establishing of the remainder of certain Lands of *Andrew Kettleby* Esq; upon *Francis Kettleby*, was read *secunda vice*, and committed unto the Earl of *Worcester*, the

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the Earl of *Lincoln*, the Lord Bishop of *Winchester*, the Lord Bishop of *Worcester*, the Lord *Cobham*, the Lord *Chandos*, and the Lord *Howard* of *Walden*; and the Bill was delivered to the said Lord *Howard*: who with the rest were appointed to meet on *Saturday* next in the afternoon, at the Chamber of the Parliament-presence.

This day the wife of *Andrew Kettleby* made her appearance in the House on the behalf of her husband and her self, excusing his not coming, by reason of his great age and infirmities; and withal, prayed their Counsel learned might be heard: whereupon it was ordered, That both their Counsel, and the Counsel of *Francis Kettleby*, should be heard upon *Thursday* next in the morning.

26.

On *Thursday*, Nov. 26. (to which day the Parliament had been last continued) one Bill being for the more peaceable government of the Parties of *Cumberland*, *Northumberland*, and *Westmoreland*, and Bishoprick of *Durham*, was read the second time, and committed; but in respect the manner of committing Bills all this Parliament was the same, and that the Judges and her Majesties learned Counsel were appointed always to attend the Lords Committees, and never made joynt Committees with them: therefore the names of the said Committees are for the most part omitted, as a thing not worth the observation.

It was ordered by the House, upon the humble Pétition of *William Hone* Under-Sheriff of the County of *Surrey*, That he should be set at liberty out of the *Fleet*, whither he had been committed for arresting one *William Hogan* her Majesties servant.

The Counsel learned of *Andrew Kettleby* Esq; and *Francis Kettleby*, were heard in the House; and thereupon the Committees of the said Bill were appointed to meet on *Saturday* in the afternoon at the Chamber of Parliament-presence: and the Lord Archbishop of *Canterbury*, the Lord *Grey*, and the Lord *Windsor*, were added to the said Committees; and the Lord Chief Justice of the Common-Pleas to attend them with the others formerly appointed. And the Bill was delivered to the Lord *Howard* of *Walden*.

Dominus Custos Magni Sigilli continuavit, &c.

Decemb. 1.

On *Tuesday*, Decemb. 1. two Bills had each of them one reading; of which, the second was the Bill for confirmation of the last Will and Testament of *George Lord Cobham* deceased.

2.

Bill to avoid
trifling Suits
in Law.

On *Wednesday*, Decemb. 2. three Bills had each of them one reading; of which, the first was to avoid trifling Suits in Law in her Majesties Courts at *Westminster*.

3.

On *Thursday*, Decemb. 3. two Bills had each of them one reading; of which, the second was the Bill for enabling *Edward Nevil* of *Burling* in the County of *Kent*, and Sir *William Nevil* his son, to sell certain Lands.

On

44 Eliz.

On Friday, Decemb. 4. the Bill against Drunkards and common Haunters of Ale-houses and Taverns; the Bill for levying of Fines with Proclamations of Lands within the County of the City of Chester; the Bill for enabling of Edward Nevil of Berlin in the County of Kent, Esq; &c. and the Bill for confirmation of Letters-Patents made by Edw. 6. to Sir Edward Seignior Kt. were each of them read *secunda vice*.

4.

On Saturday, Decemb. 5. the Bill for maintenance of the Navy, increafe of Mariners, and for avoiding the scarcity of Victuals, was read *prima vice*.

5.

Report was made to the House by the Lord Archbishop of Canterbury the first of the Committees, concerning Musters, Souldiers, &c. That the said Committees having oftentimes met and conferred about the said Bill, did finde so many imperfections in the same, as it could not conveniently be mended: and therefore thought it meet to draw a new Bill; which he presented to the House.

The Bill entituled, *An Act for the more peaceable government of the Parties of Cumberland, &c.* was returned to the House with certain Amendments; which Amendments were presently twice read, and thereupon the Bill commanded to be ingrossed.

On Munday, Decemb. 7. two Bills had each of them one reading; of which, the first being the Bill for the more peaceable government of the Parties of Cumberland, &c. was read *tertia vice*, and sent down to the House of Commons, by Dr. Carewe and Dr. Stanbopp.

7.

The Bill to avoid the double payment of Debts, was brought up to the Lords from the House of Commons by Mr. Controulour, Sir Edward Hobby, and others.

Four other Bills had each of them one reading; of which, the third being the Bill for the confirmation as well of all Grants made to the Queen, and of all resumptions made by her Highness of the possessions of any Archbishopsrick or Bishopsrick, as of Letters-Patents made by her Majesty to others, was read *prima vice*.

The Bill for confirmation of Grants made to the Queen, and of Letters-Patents made by her Highness to others, was this day returned to the House, with certain Amendments, by the Lord Treasurer the first of the Committees.

This day Sir William Knowls, Sir Edward Hobby Knights, and divers others of the House of Commons, delivered a Message from the said House, desiring a Conference with some of their Lordships concerning the uniting of Eye and Dunsden to the Mannor of Sunning: Upon the delivery of which Message, after the said Sir William Knowls and the rest had a little withdrawn, and then upon propounding this Motion to this House, the Lords having assented thereunto, Answer was made by the Lord Keeper, sitting in his place, and the the rest of the Lords also keeping their places, unto the said Sir William Knowls and the rest, That the Lords had yielded

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to

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to the Conference, and had appointed the Lord Treasurer, the Lord Steward, the Lord Bishop of *London*, the Lord Bishop of *Winchester*, the Lord *Zouche*, and the Lord *Cobham*, to meet with some select persons of the House of Commons for that purpose, to morrow by eight a clock in the morning, at the Utter chamber neer the Parliament-prefence.

8. On *Tuesday, Decemb. 8.* six Bills had each of them one reading; of which, the last being the Bill concerning Captains and Souldiers, and other in the Queens service in the Wars, was read *secunda vice*, and committed to the Committees formerly appointed for the first Bill of that kind, with addition of the Lord *Windsor*; and the said Committee to meet upon the said Bill upon the first opportunity of meeting on any other Bill: and the said Bill was delivered to the Earl of *Nottingham* the third of the Committees.

NOTA.

Nota, That here this Bill was delivered unto the Earl of *Nottingham*, being the third of the Committees, of whom the Archbishop of *Canterbury* and the Lord Treasurer were the two first: Whereas on *Munday, Nov. 23.* a Bill being committed upon the second reading, was delivered unto the Archbishop the first of the Committees: And on *Thursday, Nov. 26.* upon the commitment also of a Bill in the like manner, the Bill was delivered unto the Lord *Howard of Walden*, being the Puisne Baron, or last of the Committees: by which it is plain, that in the Upper House, as well as in the House of Commons, after any Bill is committed upon the second reading, it may be delivered indifferently to any of the said Committees.

A Proviso was offered by the Earl of *Worcester*, on the behalf of the Earl of *Shrewsbury*, to be annexed unto the Bill entituled, *An Act for the confirmation of Grants made to the Queens Majesty, and of Letters-Patents made by her Highness to others*; which Proviso, together with the Amendments in the said Bill, were read presently. And forasmuch as the Lords desired a speedy proceeding in the said Bill, they sent Dr. *Carewe* and Dr. *Stanhopp* to the House of Commons, to move them that some meet persons of that House might joyn in Conference with the Lords, being to the number of twenty, or thereabouts, concerning the Proviso and Amendments afore said; and that the meeting about the same, might be at the outward Chamber neer to the Parliament-prefence, to morrow by eight of the clock in the morning. Upon delivery of which Message to the House of Commons, they assented accordingly to the Motion made on that behalf.

Upon a Motion sent this day from the House of Commons by Sir *Walter Rawleigh*, Sir *Francis Hastings*, Sir *Edward Hobby*, and others, signifying, That they desired Conference with some of their Lordships, for certain matters concerning the honour of both Houses; the Lord Archbishop of *Canterbury*, the Lord Treasurer, the Earl of *Nottingham* Lord Steward, the Earl of *Northumberland*, the

the Earl of Worcester, the Bishop of London, the Bishop of Durham, and the Bishop of Winchester, the Lord Zouche, the Lord De-la-ware, the Lord Cobham, and the Lord Howard of Walden, were appointed to meet on Thursday next by eight a clock in the morning, at the outward chamber neer the Parliament-presence: which was signified to Sir Walter Rawleigh and the rest, in answer of their Message.

On Wednesday, Decemb. 9. the Counsel of the Lady Fane was heard in the House what he could say on her behalf against the Bill of Edward Nevil and Sir Henry Nevil his son; whereupon the Lords finding no cause why the proceeding on that Bill should be any longer staid, Order was given for the third reading thereof.

The Bill for the enabling of Edward Nevil Esq; and Sir Henry Nevil his son and heir apparent, to dispose of certain Copyhold-lands, was read *tertia vice*; upon the third reading of which Bill, and before the putting thereof to the Question, whether it should pass or no, the Lady Fane yielded her consent to the passing of the same, being thereunto perswaded by fundry of the Lords.

The Bill to avoid the double payment of Debts, was read *secunda vice*.

The Lord Treasurer made Report, That the Committees in the Bill concerning Letters-Patents, &c. could not proceed to any certain Conference with those that were sent from the House of Commons for that purpose, in respect of some doubts that were conceived, whether the Proviso offered to be annexed thereunto, were necessary or no. And thereupon Mr. Attorney-General was required to deliver his Opinion on that behalf; which being done by him accordingly, to this effect, That he thought the said Proviso needless and unnecessary, and the Judges also concurring with him in that opinion, nevertheless upon a Motion made by the Lord Bishop of London, that the Counsel learned of the Earl of Shrewsbury, and Mr. Holcroft (whom the said Proviso did concern in particular) might be heard in the House as they desired, touching the same, it was thought meet, and agreeable to the honour and equity of the House, that they should be so heard; to which end their Counsel were appointed to give their attendance to morrow by eight in the morning.

And moreover, for the better satisfaction of the House of Commons for the present, Mr. Serjeant Yelverton, Dr. Carewe, and Dr. Stanbopp, were sent unto them with this Message, to signifie their Lordships desire to have proceeded to Conference with them this morning about the said Bill, as was yesterday appointed; and that the Lords were the more willing to give furtherance to the expediting of the said Bill, in regard the same was especially recommended unto their Lordships from the said House: but forasmuch as they found not themselves sufficiently prepared for this Conference, by reason of some doubts that were not yet cleared unto them, they desired the said Conference might be respited until Friday morning next at eight of the clock, at the outward chamber

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10.

chamber neer the Parliament-prefence: unto which Motion the House of Commons willingly consented.

On *Thursday, Decemb. 10.* the Bill for the establishing of the remainder of certain lands of *Andrew Kettleby Esq;* upon *Francis Kettleby*, was read *tertia vice*, and sent to the House of Commons by *Dr. Stanhopp* and *Dr. Hone*.

Two other Bills had each of them one reading; of which, the first being the Bill to avoid double payment of Debts, was read *tertia vice*, and expedited.

The Bill concerning Resumptions, &c. was this day delivered to the Lord Treasurer one of the Committees.

The Counsel learned, as well on the behalf of the Earl of *Shrewsbury*, as on the behalf of *Thomas Holcroft*, *Henry Candish*, and *William Candish Esquires*, were heard at large in the House; and thereupon Mr. Attorney was required to deliver again his Opinion concerning the said Provisoës offered on either part: which being done accordingly, in more ample and particular manner than he had done before; and having also delivered his Resolution to sundry Questions propounded to him by divers of the Lords concerning the said Cause, it was ordered as followeth.

Upon Debate in the House concerning several Provisoës offered by the Earl of *Shrewsbury*, and *Thomas Holcroft*, *Henry Candish*, and *William Candish Esquires*, to be annexed to the Bill entituled, *An Act for confirmation of Grants made unto the Queens Majesty, and of Letters Patents made by her Highness to others*; it was at last agreed, That the Lord Chief Justice of her Majesties Bench, and the Lord Chief Justice of the Common-Pleas, calling unto them the rest of the Judges, and Mr. Attorney-General, should draw some new Provisoës, such as they should think indifferent for all parties, and meet to be annexed to the said Bill; and should present the same to the Lords to morrow in the morning, before their Conference with the House of Commons concerning the said Bill.

The Lord Keeper signified unto their Lordships, that he received command from her Majesty, to let them understand her pleasure to be, that the Parliament should end on *Thursday* the 17. or *Friday* the 18. of this instant *Decem.* at the furthest, to the end that their Lordships may repair home to their Countries against *Christmas*; and therefore she required them to employ and spend that time that remaineth, in matters concerning the Publick, and not in private causes.

Memorandum, Quod dicto decimo Decembris, those of the House of Commons that were appointed to confer with some of the Lords upon the Message lately sent from the said House, signifying their desire of Conference for some matters touching the honour of both Houses, did make known to the Lords, the Committees nominated for that purpose, That the occasion of such their Message was, for that, as they were informed, Mr. Attorney-General had preferred a Bill into the Star-chamber against one *Belgrave* a Member of the House of Commons, for and concerning some matter of Misdemeanour pretended to be done towards the Earl of *Hunting-*

ton

The Commons desire a Conference with the Lords about a Bill preferred in the Star-chamber against a Member of their House.

ton a Lord of the Upper House; and therefore they desired this mutual Conference: letting their Lordships understand, That to the preferring of the said Bill, they conceived just exceptions might be taken by them for two respects; first, that *Belgrave* being a Member of the House of Commons, was thereby vexed and molested during his service in time of Parliament, contrary to the honour and privilege of the House, saying, that no Member of that House ought by any such means in time of his service to be distracted either in body or minde. The other, because in the said Bill, preferred by Mr. Attorney-General, who had been heretofore Speaker of that House, and therefore as they thought ought to have more regard to the honour and liberty of the same. Certain words and clauses were inserted, which were taken to be prejudicial and derogatory to the honour of the said House. And therefore they desired that the Lords would peruse and consider of the said Bill. Whereupon the said Bill, being offered to be read, and forasmuch as it appeared that it was not an authentical Bill, testified by the hand of the Clerke of the Star-chamber, as it had been meet, the Lords thought it not fit, though otherwise they were willing, to have it read; nor agreeable to the proceedings of such a Court, that the said Bill or Scroul shall be received to reading: And therefore, with a Message to that effect, were pleased to send it down again to the House of Commons by Mr. Serjeant *Telverton*, and Dr. *Hone*; who finding the House risen before they came, brought the said Bill back again.

They reflect on the Att. Gen. for preferring the said Bill, because he had formerly been their Speaker, and so ought to be tender of their Privilege and Honour.

On Friday, Decemb. 11. the Bill concerning Captains, Souldiers, and other in the Queens service in the Wars, was returned to the House by the Lord Steward, with certain Amendments and a Proviso, thought meet by the Committees; which Amendments and Proviso were presently twice read, and thereupon the Bill commanded to be ingrossed.

11.

The Bill for the maintenance of the Navy, increase of Mariners, &c. was returned to the House by the Lord Treasurer the first of the Committees, with certain Amendments; which Amendments were presently twice read.

Four Bills were brought up to the Lords from the House of Commons; of which, the two last were, one for assurance of the Parsonage and Vicarage of *Rotherston* in the County of *Chester*, and a Scholars Room in the Cathedral-church of *Christ* in *Oxford*, of the foundation of King *Hen. 8.* by the Dean and Chapter of the said Cathedral-church, to *Thomas Venables Esq;* and his Heirs for ever; and the other for the augmentation of the Joynture of *Rachel* Wife of *Edward Nevil*, in the County of *Kent* Esquire: both which Bills were read *prima vice*.

On Saturday, Decemb. 12. eight Bills were brought up to the Lords from the House of Commons, by Mr. Secretary *Cecil*, Mr. Secretary *Herbert*, and others, which were each of them read *prima vice*; of which, the first was for reformation of abuses in Sheriffs and other their inferiour Officers, for not duely executing Writs of

12.

An. 1601.

Bill to prevent
holding Fairs
and Markets
on Sundays.
Subsidy-bill.

Proclamation upon Exigents, according to the Stat. 31 *Reginæ*; and the second was for prohibiting Fairs and Markets to be holden on the *Sunday*.

Two Bills also had each of them one reading; of which, the first being the Bill for the grant of four entire Subsidies, and eight Fifteenths and Tenths, granted by the Temporality, was read *prima vice*.

The Lords, and those of the House of Commons, not having time yesterday to conclude their Conference about the Bill concerning Letters-Patents and Conveyances, &c. another meeting was appointed for them this morning: Mr. Attorney-General and Dr. *Carewe* were therefore sent unto them, to let them know that their Lordships were ready presently to meet. Upon which Message, the House of Commons returned answer, That they would make their repair to their Lordships forthwith for that purpose.

The Bill for the perfecting of the Joynture of the Lady *Bridget* Countess of *Staffex*, Wife of *Robert* Earl of *Staffex*, was read *secunda vice*.

The Bill concerning the Joynture of the Countess of *Bedford*, was returned to the House by the Earl of *Worcester* the first of the Committees, with a Proviso and certain Amendments thought fit to be added; together with a Petition of the Lady *Russel* against the said Bill.

The Lords that were appointed Committees for the Bill touching Letters-Patents, &c. went forth to the outward chamber to have conference with those of the House of Commons, appointed Committees for the same Bill; but nothing concluded touching the Amendments, because the said Committees had no power to conclude: and therefore, after long debate, the Bill was brought back to the House, and the relation thereof referred to be made by Mr. Attorney, and the same deferred till the afternoon sitting, by reason the day was spent.

Dominus Custos Magni Sigilli continuavit præsens Parliament. usq; ad horam tertiam post meridiem hujus diei.

About which hour the Lord Keeper and divers Lords, having assembled themselves, five Bills had each of them one reading; of which, the first concerning the draining and recovery from water of certain over-flown Grounds in the County of *Norfolk*; the second, for reformation of abuses committed in buying and selling of Spices and other Merchandizes; and the third, to prevent Perjury and subornation of Perjury, and unnecessary expences in Suits of Law; were each of them read *secunda vice*.

The Proviso that was presented to be added to the Bill for the maintenance of the Navy, and increase of Mariners, &c. was read *tertia vice*, and sent to the House of Commons; together with the Bill concerning Captains, Souldiers, &c. by Dr. *Carewe* and Dr. *Stanhopp*.

The Amendments and Proviso in the Bill concerning the Countess of *Bedford's* Joynture, were twice read; and likewise the Lady *Russel's* Petition was read: whereupon it was appointed that the Proviso should be ingrossed in Parchment, and the Amendments in Paper.

The

The Committees in the Bill for the observation of Rules in the Exchequer, were appointed to meet forthwith in the little chamber neer the Parliament-presence, to consider of a Proviso drawn by the Lord Chief Justice and the rest of the Judges, by direction of the Committees; which Proviso having been considered of accordingly, was brought into the House, and presently twice read: and thereupon the said Proviso was commanded to be ingrossed.

On *Munday, Decemb. 14.* (to which day the Parliament was last continued) the Bill for the better observation of certain Orders in the Exchequer, set down and established by vertue of her Majesties Privy-Seal, was read *tertia vice*; and the Proviso thought fit by the Committees to be added, was also read the third time.

14.

The Bill for assurance of certain Mannors and Lands for part of a Joynture to *Lucy Countess of Bedford*, and the Provisoes and Amendments presented by the Committees to be added to the Bill, were also read the third time: both which Bills were sent to the House of Commons for their consideration of the several Provisoes and Amendments, by *Dr. Swale*, and the Clerk of the Crown.

Four Bills more had each of them one reading; of which, the last being the Bill for the grant of four entire Subsidies, and eight Fifteenths and Tenths, granted by the Temporalty, was read *secunda vice*.

Two Bills more were also brought up to the Lords from the House of Commons; of which, the second being the Bill for the confirmation of the Charter of *Edw. 6.* of the three Hospitals of *Christ, Bridewel, and St. Thomas the Apostle*, to the Mayor, Commonalty, and Citizens of *London*, was read *prima vice*.

The Bill to confirm the assurance of the Mannors or Farms of *Sagebury* alias *Sadgbury*, and *Obden*, and other Hereditaments, to *Samuel Sandis Esq;* and *John Harris Gent.* and their Heirs; and the Bill for the Amendment of certain imperfections of a Statute made 8 *Reginæ*, concerning the true making of Hats; were each of them read *secunda vice*.

The Paper or Scroul concerning *Belgrave*, was this day returned from the House of Commons, subscribed by the Clerk of the Council in the Star-chamber, and excuse made by them for not sending the same at the first.

Dominus Custos Magni Sigilli continuavit presens Parliament. usq; ad horam secundam post meridiem hujus instantis diei.

About which hour, the Lord Keeper and divers Lords assembling, six Bills had each of them one reading; of which, the third being the Bill for augmentation of the Joynture of *Rachel Wife of Edward Nevil of Berling* in the County of *Kent*, was read *secunda vice*.

The Bill concerning the erecting of a Harbour and Key in the north part of *Devon, &c.* was returned to the House by the Lord Steward, with one Amendment; which was presently twice read.

Bill to erect a Harbour and Key.

The Bill for prohibiting Fairs and Markets to be kept on the *Sunday*, was read *secunday vice*, and committed.

Upon

An. 1601.

Upon the Motion of the Earl of *Worcester*, it was ordered by the House, That *William Crayford* prisoner in the *Fleet*, should come to make his humble submission before the Lords in the said House, to morrow by nine of the clock in the morning.

The Counsel, as well of the Company of Plaisterers, as Painters, were appointed to be heard in this House to morrow in the afternoon.

15.

On *Tuesday, Decemb. 15.* three Bills had each of them one reading; of which, the second being for the erecting and making of a Harbour and Key on the north part of *Devon*, in the River of *Severn*, for the safeguard of men and shipping, and for the publick good of the Common-wealth, was read *tertia vice*, and sent down to the House of Commons for their consideration of an Amendment sent down by Dr. *Stanhopp*, Dr. *Swale*, and Dr. *Hone*.

The Bill for the grant of four entire Subsidies, eight Fifteenthis and Tenthis, granted by the Temporalty, was read *tertia vice*, and expedited.

The Bill for naturalizing certain persons born beyond the Seas, was read *secunda vice*.

Subsidy of the
Clergy confir-
med.

The Bill for confirmation of the Subsidy of the Clergy, was read *prima, secunda, & tertia vice*. Memorandum, That at the second and third reading of the said Subsidy-bill, the body of the Grant was omitted to be read, according to the accustomed manner, and onely the preface and confirmation of the Grant were read; and the Bill was sent to the House of Commons by Mr. Serjeant *Telverton*, Dr. *Stanhopp*, and Dr. *Hone*.

Upon the humble Petition of *William Crayford*, lately committed to the Prison of the *Fleet*, and upon his humble submission and acknowledgment of his offence, he was, by order of the Court, set at liberty. *Vide* concerning this matter on *Decemb. 19.* following.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post meridiem hujus diei.

About which time the Lord Keeper and divers other Lords assembling, the Bill for naturalizing certain persons born beyond the Seas, was read *tertia vice*, and expedited.

Eight Bills were brought up to the House of Lords from the House of Commons; of which, the first being the Bill for continuance of divers Statutes, and for repeal of some others; and the second being against the transportation of Ordnance, Guns, Metal, Iron-Ore, and Iron-shot, were each of them read *prima vice*.

Bill against
the transporta-
tion of Guns,
&c.

16.

On *Wednesday, Decemb. 16.* the Bill for the re-edifying, repairing, and maintaining of two bridges on the River of *Edon* neer the City of *Carlisle* in the County of *Cumberland*, was read *prima & secunda vice*.

Seven other Bills had each of them one reading; of which, the fourth being the Bill for continuance of divers Statutes, and for the repeal of some others; and the fifth to redress the misemployment of lands, goods, and stocks of money, heretofore given to charitable uses, were each of them read *secunda vice*.

Eight

Eight Bills were brought up to the Lords from the House of Commons by Mr. Secretary Cecil, Sir Walter Rawleigh, and others; of which, the first being the Bill for the ending and appeasing of all differences and debates between *Francis Kettleby* of the one part, and *Andrew Kettleby* and *Jane* his Wife of the other part; and the second being for the recovery of many thousand acres of marish grounds, subject commonly to surrounding with water, within the Isle of *Ely*, and Counties of *Cambridge*, and *Suffolk*, *Huntington*, *Northampton*, *Lincoln*, and *Norfolk*, were each of them read *prima vice*: As also the fifth, being the Bill for the necessary relief of Souldiers and Mariners, was read *prima vice*.

A Message was delivered from the House of Commons by Mr. Controulr and others, That the said House was not satisfied concerning the Proviso added by the Lords to the Bill entituled, *An Act for the better observation of certain Orders in the Exchequer*; and therefore desired a Conference with some of their Lordships about the same.

The Conference was yielded unto, and appointed to be this afternoon at the outward chamber.

The Bill entituled, *An Act for the reformation of Deceits of certain Auditors*, &c. was returned to the House with certain Amendments; the Bill, with the same Amendments, was forthwith twice read, and ordered to be ingrossed.

Upon Conference with the House of Commons concerning the Bill for confirmation of Grants made to the Queens Majesty, &c. it was agreed by the Committees of both Houses, That certain Amendments and Provisoes should be added to the said Bill; which were returned to the House, and presently twice read, and so commanded to be ingrossed. And thereupon the Bill it self, with the said Amendments and Provisoes, were read the third time, and sent to the House of Commons for their Consideration of the same, by Mr. Attorney-General and Dr. Stanhopp.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post meridiem hujus diei.

About which time the Lord Keeper and divers other Lords assembling together, eleven Bills had each of them one reading; of which, the fifth being the Bill for the recovery of many thousand acres of marish grounds, subject commonly to surrounding, within the Isle of *Ely*, &c. the sixth being for redress of certain abuses and deceits used in painting; the seventh concerning matters of assurance amongst Merchants; and the eighth being for the assize of Fewel; were each of them read *secunda vice*.

Bill about en-
surance a-
mongst Mer-
chants.

Upon the meeting this afternoon with those of the House of Commons appointed to confer with the Lords Committees in the Bill entituled, *An Act for the better observation of certain Orders in the Exchequer*, &c. concerning a Proviso added by the Lords to that Bill, after some debate by the Committees on both parts thereupon, they of the House of Commons did signifie, That the said House would allow of the said Proviso, so as the same might in some certain points be amended. Whereupon question grew between them, Whether the said Amendment of the said Proviso

An. 1601.

should be made in the Upper House, upon notice given thereof by the Committees, and so be sent down again, or else be made in the House of Commons: which doubt being reported by the Lords Committees, by order and appointment of the House, it was agreed by common consent, That the Amendments should be made in the House of Commons, and sent up in Paper, and to be inserted in the body of the Proviso; which Order was by the Lords Committees signified to the Committees of the House of Commons, and they thereunto assented.

Whereas it hath been accustomed in former Parliaments, that towards the end of the Parliament a Collection should be made amongst the Lords for the Poor, and it was this day moved by the Lord Archbishop of *Canterbury*, that the like Collection might be made at this time; it was upon this Motion ordered by the House, That there should now be such a Collection made; and that the Lord Bishop of *Chichester*, the Lord Bishop of *Peterborough*, the Lord *Zouche*, and the Lord *Rich*, should be Collectors of the same, after such Rates as have been usually given and bestowed by the Lords for the said charitable purpose, as in former Parliaments; and they to take order for the distribution of it.

17.

On *Thursday, Decemb. 17.* the Bill for the relief of the Poor, was read *secunda vice*.

It was ordered, That *Edward Thomas* of the *Middle-Temple*, should be presently sent for and brought before the Lords in the House, for that contrary to the Priviledge of the House, he hath caused one *Thomas Gerrard* Gent. to be arrested: And it was likewise ordered, That such persons as made the Arrest, or did assist in doing the same, shall likewise be sent for by the Serjeant at Arms, to answer their doings therein.

The Bill for the necessary relief of Souldiers and Mariners, was read *secunda vice*.

Two Bills were brought up to the Lords from the House of Commons; of which, the first being the Bill for assurance of certain Mannors and Lands for part of a Joynture to *Lucy Countess of Bedford*, was expedited.

Two other Bills had also each of them one reading; of which, the second being the Bill for reformation of deceits and frauds in certain Auditors and their Clerks, in making deceitful and untrue Particulars, was read *tertia vice*, and sent to the House of Commons by *Dr. Carewe* and *Dr. Hone*.

The Bill was brought back from the House of Commons, entitled, *An An for confirmation of Grants made to the Queens Majesty, and of Letters-Patents made by her Highness to others*, and expedited.

The Bill for confirmation of the Subsidy granted by the Clergy, was returned from the House of Commons, and was expedited.

The Bill concerning the Assize of Fewel, was read *tertia vice*, and expedited.

Dominus Custos Magni Sigilli continuavit præsens Parliament. usq; ad horam secundam post meridiem instantis diei.

About

44 *Eliz.*

About which hour the Lord Keeper and divers other Lords assembling, five Bills had each of them one reading; of which, the second being the Bill for strengthening of the Grants made for the maintenance and government of the house of the Poor, called *St. Bartholomew's Hospital*, of the foundation of King *Hen. 8.* was read *secunda vice*.

The Bill for recovery of many hundred thousand acres of Marshes and other Grounds, subject commonly to surrounding within the Isle of *Ely* and Counties of *Cambridge, Huntington, &c.* was read *tertia vice*, and expedited.

Upon the third reading of this Bill, it was moved, that certain Additions might be put in the title of the Bill, and Amendments in some points in the body thereof, and the Lord Chief Justice and Mr. Attorney-General were required to draw the same; which was done presently by them, and presented to the House: Whereupon the said Additions and Amendments were thrice read, and then sent to the House of Commons for their consideration of the same, by Mr. Attorney and Dr. *Hone*; who returned presently from the House of Commons with their allowance of the said Amendments and Addition in the title of the Counties of *Sussex, Essex, Kent*, and the County Palatine of *Durham*.

Three other Bills had also each of them one reading; of which, the last being the Bill to make the Lands, Tenements, and Hereditaments of *Edward Lucas* Gent. deceased, Executor of the last Will and Testament of *John Flowerdew* Esq; deceased, liable, &c. was read *secunda vice*.

Conference was desired by the House of Commons with some of their Lordships, about the Bill sent to them this day concerning the reformation of deceits and frauds of certain Auditors, &c. The Conference was yielded unto, and appointed to be presently at the outward chamber neer the Parliament-presence.

On Friday, Decemb. 18. four Bills had each of them one reading; of which, the last being the Bill for her Majesties most gracious general and free Pardon, was read *prima vice*, and sent to the House of Commons by Mr. Attorney-General and Dr. *Stanhopp*.

Memorandum, That whereas a Bill hath been presented to the High Court of Parliament by the Company of the Mystery or Trade of Painters, making thereby complaint against the Company of Plaisterers for and concerning certain wrongs pretended to be done to the said Painters by the Company of Plaisterers, in using some part of their Trade of Painting, contrary to the right of their Charter, as is pretended, and humbly seeking by the said Bill, reformation of the said wrong: And whereas the said Bill passed not the Upper House of Parliament, for just and good reasons moving the Lords of the Higher House to the contrary, yet nevertheless the said Lords of the said Upper House have thought it meet and convenient, that some course may be taken for reformation of any such wrong as may be found truly complained of, and fit to be remedied, and for setting some good agreement and order for the said Painters and Plaisterers, so as each sort of them might exercise their Trade conveniently, without inroaching one upon the other. It

18.

Order of the House about the dispute between Painters and Plaisterers.

An. 1601.

It is therefore ordered by the said Court of the Upper House of Parliament, That the said complaint and cause of the said Painters, which proceeded not in Parliament, shall be referred to the Lord Mayor of *London*, and the Recorder of *London*, to be heard and examined, adjudged and ordered, as in Justice and Equity shall be found meet : And that at the time or times of hearing of the said Cause, the Lord Chief Justice of *England*, the Lord Chief Justice of the Common-Pleas, Mr. Justice *Gawdy*, and Mr. Baron *Clarke*, and Mr. Attorney-General, or any four, three, or two of them, shall assist and give their help for the making and establishing of some good Order and Agreement between the said two Companies. And that the said Parties Complainants, and also the Company of Plaisterers, shall observe and keep such Order as the said Mayor, the Lord Chief Justice of *England*, the Lord Chief Justice of the Common-Pleas, Mr. Justice *Gawdy*, Mr. Baron *Clarke*, Mr. Attorney-General, and Mr. Recorder of *London*, or any six, five, four, or three of them, whereof the Lord Mayor, the Lord Chief Justice of *England*, or Lord Chief Justice of the Common-Pleas, shall be two, shall be set down and prescribed.

Memorandum, That whereas *William Crayford* of *Mongham* in the County of *Kent*, Gent. was this day brought before the Lords in the Upper House of Parliament, to answer an Information made against him, That he had procured and suborned his Son *William Crayford* to lay sundry Executions and Outlawries on *William Vaughan* Gent. servant to the Earl of *Shrewsbury*, contrary to the Privilege of the Court, and the said *Crayford* having been heard in the presence of *William Vaughan*, what he could say concerning the said Information, wherein he protested that he was guiltless, and that his said Son had not in any sort received such direction from him as was informed : It was therefore by the Court thought meet, and so ordered, That the examination and determining of the Controversies and Suits depending between the said *Crayford* and *Vaughan*, should be referred to the Earl of *Worcester*, the Lord Bishop of *London*, and the Lord *Cobham*; and that they the said *Crayford* and *Vaughan*, should enter into good and sufficient Bonds each to other, to stand to, observe, and perform such Award and Arbitrament as the said Lords shall make and set down between them.

19.

On *Saturday, Decemb. 19.* a Motion was made in the House for the avoiding of all further Controversies between *William Crayford* and *William Vaughan* Gent. That soasmuch as each of them took mutual exceptions one to the other, touching the Bonds whereinto they had entered by order of the Court, the said *William Crayford* alleadging, that it sufficed not for *William Vaughan* alone to be bound, because his Heirs or some other claiming by and from him, might trouble and molest him, and that the said *Vaughan* is insufficient. And the said *William Vaughan* alleadging, that if the said *William Crayford* were bound alone, his Sons and Heirs might trouble and molest the said *Vaughan*, without hazard of the Bond, some further order might thereupon be taken. It is therefore

44 Eliz.

fore this day ordered by the Court, That the said *William Crayford* and his eldest Son *Edward Crayford*, shall enter into sufficient Bond unto the said *William Vaughan*, without hazard of the Bond for themselves and their Heirs, that they and every of them shall stand to the Award of the Earl of *Worcester*, the Lord Bishop of *London*, and the Lord *Cobham*, or any two of them. And that also the said *William Vaughan* shall enter into the like Bond with a sufficient Surety for himself and his Heirs, to stand to the said Award of the Lords before-mentioned, or any two of them; so as the said Award be made before the Feast of *Easter* next following. And moreover, it is ordered by the Court, That if they or either of them shall refuse to enter into Bond according to the said Order, that the Lord Keeper, notwithstanding the ending of the Parliament, and though it be after the same, shall commit them or either of them to close Prison, for refusing; there to remain until the party refusing be conformable to the said Order.

Dominus Custos Magni Sigilli continuavit præsens Parliamentum usq; ad horam secundam post meridiem hujus instantis diei.

About which hour in the afternoon, the Queens Majesty was personally present, being accompanied with the Lord Archbishop of *Canterbury*, Sir *Thomas Egerton* Kt. Lord Keeper of the great Seal, the Lord *Buckhurst* Lord Treasurer of *England*, and with divers other Lords Spiritual and Temporal: but what was there done, is not mentioned in the Original Journal-book of the Upper House, and therefore is supplied out of a very laborious and copious Journal of the House of Commons, taken by *Hayward Townsend* Esq; a Member thereof at this Parliament.

The Qu. comes to the House.

Her Majesty, with divers Lords Spiritual and Temporal, being set in the Upper House in their Parliament-Robes, between two and three of the clock this afternoon, the Knights, Citizens, and Burgeses of the House of Commons had notice thereof, and thereupon repaired thither with *John Crooke* Esq; their Speaker; who being placed at the Rail or Bar at the lower end of the said Upper House, after he had made three Reverences to her Majesty sitting under a rich Cloath of Estate, spake to the effect following.

THat Laws were not first made with humane Pen, but by divine Ordinance; that Politick Laws were made according to the evil condition of men; and that all Laws serves not at all times, no more than one Medicine for all Diseases: and said, if he were asked what was the first and chiefest thing to be considered of, he would say, Religion: for Religion is all in all; for Religion breeds Devotion, Devotion breeds Zeal and Piety to God, which breedeth Obedience and Duty to the Prince; and Obedience to the Laws, breedeth Faithfulness, Honesty, and Love, the three necessary and onely things to be wished and observed in a well-govern'd Commonwealth. And that her Majesty, by planting true Religion, had laid such a foundation, upon which all those Vertues were planted and builded, that they could not easily be rooted up or extirpated: and therefore acknowledged, that we ought and do acknowledge, that we will praise God and her Majesty for it.

The Speaker's Speech.

Q q

And

An. 1601.

And then he descended to speak of Governments and Laws of Nations ; amongst which, principally and above all, he preferr'd the Laws of this Land ; which, he said, were so many and so wise, that there was almost no offence, but was met with in a Law : notwithstanding her Majesty being desirous, for the good of her Land, to call a Parliament for redress of some Laws, and for making of new ;

Her dutiful and loyal Subjects, having considered of them, have made some new, and amended some old ; which they humbly desire may be made Laws by her Royal Assent, which giveth life unto them.

And so, after thanks given for the Pardon, by which we dread your Justice and admire your Mercy, and a Prayer unto her Majesty, That she would accept, as the testimony of our Loves and Duties offered unto her with a free heart and willing spirit, four entire Subsidies, and eight Fifteenths and Tenths, to be collected of our Lands and Livelihoods ; in speaking whereof, he mistook, and said, Four entire Fifteenths and eight Subsidies ; which he was advised of by some of the Counsel that stood neer unto him, and so he spake it right : and craving pardon for his offence, if either he had forgotten himself either in word or action, he ended his Speech.

To which, the Lord Keeper answered thus in effect.

The L. Keeper
returns the
Queens An-
swer.

AS touching her Majesties proceeding in the Laws for her Royal Assent, that should be as God directed her sacred spirit. Secondly, For your presentation of four Subsidies, and eight Fifteens and Tenths ; And thirdly, Your humble thankfulness for them and your self ; I will deliver her Majesties Commandment with what brevity I may, that I be not tedious to my most gracious Sovereign.

First, She saith your proceeding in the matter of her Prerogative, she is perswaded that Subjects did never more dutifully do it ; and that she understood you did but obiter touch her Prerogative, and no otherwise but by humble Petition : and therefore the thanks that a Prince may give to her Subjects, she willingly yieldeth. But she now well perceiveth that private respects are privately masked under public pretences.

Secondly, Touching the presentation of your Subsidies, she specially regardeth two things, both the persons, and the manner : For the first, he fell into commendations of the Commonalty ; for the second, the manner, which was speedy, not by perswasion, or perswasive inducements, but freely, out of duty, with great contentment. In the thing which you have granted, her Majesty greatly commendeth your confidence and judgments ; and though it be not proportionable to her occasions, yet she most thankfully receiveth the same, as a loving and thank-ful Prince. And that no Prince was ever more unwilling to exact or receive any thing from the Subject than she our most gracious Sovereign ; for we all know she never was a greedy Grasper, nor straight-handed keeper : And therefore she commanded me

me to say, That you have done (and so she taketh it) dutifully, plentifully, and thank-fully.

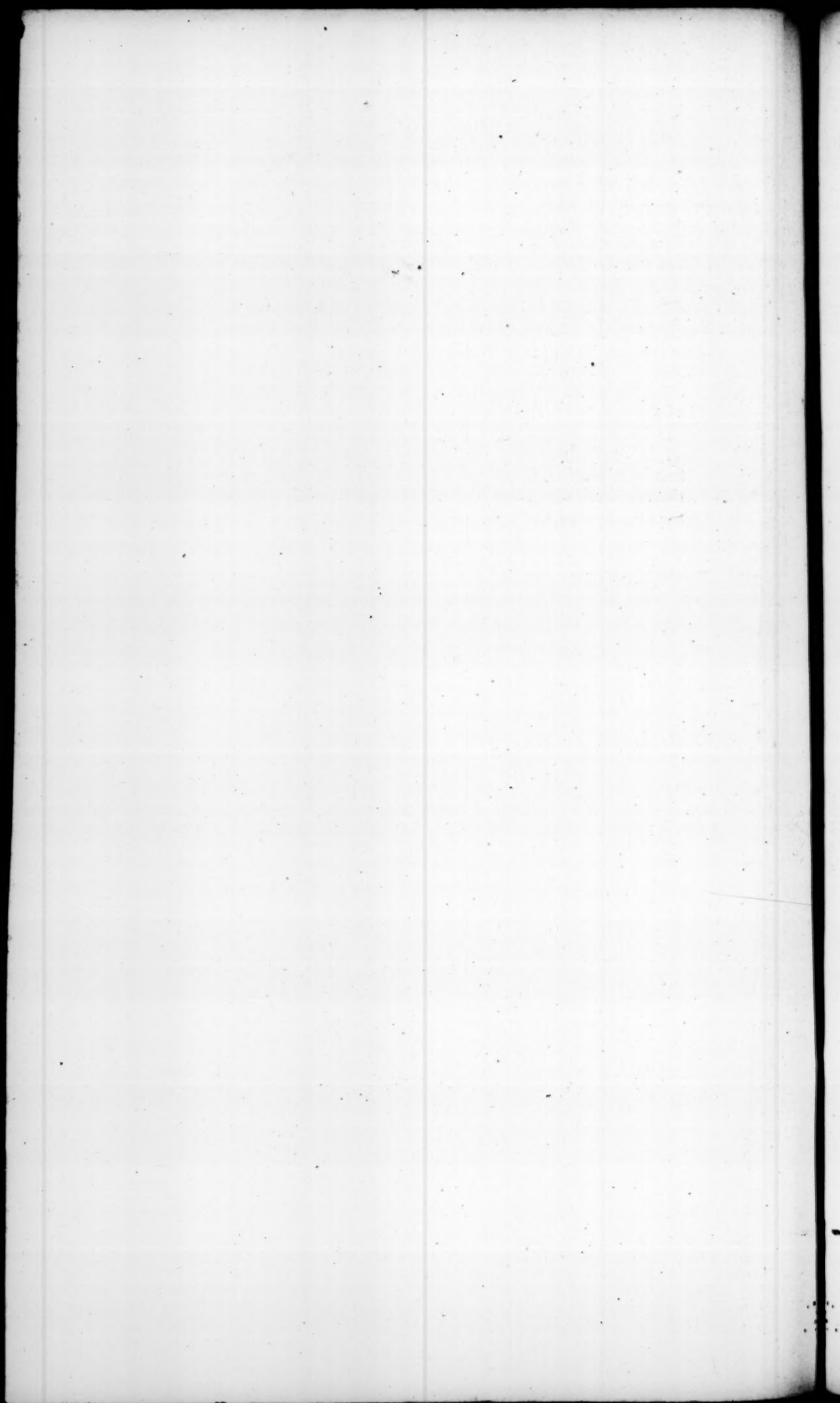
44 Eliz.

For your self, Mr. Speaker, her Majesty commanded me to say, That you have proceeded with such wisdom and discretion, that it is much to your commendations, and that none before you have deserved more. And so he ended, after an Admonition given to the Justices of Peace, That they would not deserve the Epethites of prowling Justices, Justices of Quarrels, who counted Champerty good Chevelance; sinning Justices, who did suck and consume the Good of this Commonwealth; and also against all those that did lie, if not all the year, yet at least three quarters of the year, in the City of London.

After these Speeches ended, her Majesty gave her Royal Assent to nineteen Publick Acts, and ten Private Acts; and then the Parliament was dissolved by the Lord Keeper of the great Seal of England.

They are dissolved.

A



A perfect Journal of every days Proceedings, in the House of Commons at the Parliament; beginning at Westminster, the xxvijth. day of October, Anno 1601. and in the 43. Year of the Raign of Q. Eliz. and ending the xixth. day of December, then next following.

Collected by Mr. Heyward Townshend, one of the Members of the said House.



He first day of the *Parliament*, about three of the Clock in the Afternoon; the Queens Majesty, went by Land to *Westminster-Abby*, riding in a Chariot, made all open, only like a Canopy over her head, being of Cloth of Silver; with all the Bishops, and Lords, in their Parliament Robes, according to their Degrees, being marshalled by the Heralds; Where was made unto her a Sermon, after the hearing whereof she went to the Upper-house of *Parliament*; where being sate a while, and the Knights and Burgesses of the Lower-house being sent for, the door kept so that they went not all in; notwithstanding, some were within, by some special means before, and heard the Lord-keepers Speech made unto them; which is after (in effect) delivered by Mr. Secretary *Cecil*, in the Lower-house. So that after the Knights and Burgesses had staid a good while, it was told them, That the Lord-keepers Speech was done, and thereupon every man went away discontented.

In the mean time, whilst her Majesty was at Sermon, the Lord-Admiral came into the *Court of Requests*, and there began to call the Knights and Burgesses by the Poll; and also, to swear them at the same time: But because that course seemed too tedious, he staid, whilst Sir *William Knowls*, Controulr of the household, Sir *John Stanhopp* Vice-Chamberlain, Sir *Robert Cecil*, Principal Secretary of State; and *John Herbert* Esquire, second Secretary, came; who were all coming up from the Upper house together, and then only the Knights and Burgesses were called; After that, the Lord *Admiral*, and Mr. Secretary *Cecil*, went up to the Upper-house; but Mr. *Controulr*, Sir *John Stanhopp*, and Mr. Secretary *Herbert*, went to the space before the Parliament House door; where they sware all the Lower-house confusedly, four at one time, six at another, eight at another, taking their names that swore; and who not: and still as every man was Sworn, he went into the house, and to his place, as best liked him.

When all were Sworn, and the Queen come to the Upper-
House,

43 Eliz.

The Queen goes to the Parliament in an open Chariot, with a Canopy of Silver.

Some of the Commons discontented.

Admiral.

An. 1651.

The Comptroller speaks first.

House, and the Lord-Keepers speech ended: Then all the Privy Council of the Lower-house, came in thither, and sate quiet a while; and then putting their heads together, Mr. Controulr stood up, and spake to this effect.

'That it was an Antient Custom in that House, that at those times, some Man should break silence; and I must confess at this time, it belongs to my place. It is needless to shew the use of this House, because its well known to all, or most here. All men knows, that the speech of a multitude breedeth confusion, and dissention. It is therefore fit for us to chuse one, to be our Speaker; which for his experience may speak, and for his sufficiency, dare and can speak on all our Behalfts and Affairs; Neither doth it stand with the Honor, and Antient Usage of this House, to speak but by one. Neither is it answerable to the State of her Majesty, to deliver unto her our mindes, by the Tongues of a confused Multitude. Then we are to fall into consideration, what manner of person he shall be. First, A man Religious; for Religion ought to be the foundation of our building and labour: Then Honest, Grave, Wise, Faithful, and Secret. These Vertues must concur in one Person able to supply this place.

'Now, having delivered unto you, the necessity of a Speaker, and his qualities; I will deliver unto you my Opinion, whom I think fit for the place, referring it to your consideration; and for my own part, not prejudicing the Worth of any in this House, I deem Mr. *John Crook*, Recorder of *London*, a most fit, and worthy, and able man for this Service.

'At which words Mr. Crook put off his Hat, with a kind of strange Admiration; whose Sufficiency in all respects, and his Loyalty and Faithfulness to do our Common-wealth service, is well known unto us; and hath been often approved by his learned Speeches diverse times delivered before her Majesty.

'I do not attribute so much to mine own Choice, that I presume to assure you, there is no Man here fitter for the same than he is; but I only make bold to deliver my Opinion, leaving the choice of him, or any other to the free Election of every particular Member of this House.

'And for the motion which hath been made, touching the keeping out of the house, during the time of the Lord Keepers Speech; I do assure you, it was not willingly done, but through Ignorance of the Groom of the Chamber; but if the House be desirous to hear the Effect thereof, I will intreat some that were there at that time, to satisfy their desires. (The cause of which preclose was, for that one Mr. *Leigh*, during the time of the Commons swearing, made a complaint to Mr. Controulr, sitting in the House, that they tooke it in great disgrace, that they were shut out.

After which Speech, the Council sate silent a while; and afterward Mr. Controulr stood up again, and asked the House of their consent, and opinions to his Motion; Whereupon every man cryed, *I, I, I.*

Then,

The House Votes for him

He Recommends the Recorder of London for their Speaker, who seems to Admire at it.

'Then Mr. *Recorder* stood up in his place, and briefly shewed 'unto us, his insufficiency and disability; his willingness to 'serve, but his weakness to perform; his thankfulness for their 'desire, but the smallness of his own desert; And so laying open 'his own Infirmities, both for shortness of Memory, and want of 'Wisdom and Experience, for the undertaking of so great a 'burthen, he humbly prayed, that they would choose a man 'who for his Sufficiency were more able; and for his Abilities 'were more sufficient to supply that place.

43 Eliz.

The Recorder Excuses himself.

So sitting down, and the House a little while quiet, Mr. *Controul* asked, If they agreed as before? and all Answered, *I, I, I.*

They Chuse him.

Then Mr. *Controul* and Sir *John Stanhop* rose up; and Sir *John Stanhop* on the right hand, and Mr. *Controul* on the left, lead him to the Speakers Seat; where standing, without any sitting down as yet, he pawling a while, spake again in effect as Followeth.

He is Lead to the Chair.

'Your honourable Choice of me, without any my desert, 'stops me from pleading either Insufficiency, or Disability; 'lest I should shew, and make my weakness more apparent, to 'disapprove the Senfure and good allowance of the Honourable 'Assembly of this House. But however, it hath pleased you to 'inable me in this sort; This I dare and can assure you, that you 'might have chosen many more worthy, but none more ready 'to shew his utmost indeavor in this service. Which Choice, 'seeing it hath proceeded out of your Favour undeserved on my 'part, I shall indeavor, as God shall enable me, to shew my 'self for this Assembly, most careful, and to every particular 'Member, most respective, and thankful.

Speaks to the House.

VVhereupon he sate down, and put on his Hat: And after a little sitting, and pawle, Sir *William Knowls*, *Controul*, rose up and said, It was her Majesties pleasure, that we should be ready to present our Speaker on *Friday* next, at two of the Clock in the afternoon. So for that day every man departed.

Fryday Octo. 30. About one of the Clock, the *Speaker*, and all the House were ready in the Lower House, sitting and talking privately; and then Word was brought, that her Majesty was come by Water to the Upper House; so the Privy Council, and the Speaker, with the whole House, went to the Upper House door, and there staid a long half hour, before such time as they were let in. After, being come in, the Upper House was sate, and the Queen under the State, the *Speaker*, standing at the Bar below, made three Reverences; which done, he made a Speech to her Majesty to the effect following.

Octob. 30.

'Most Sacred and mighty Sovereign; upon your Majesties 'Command, your most dutiful and loving Commons, the Knights, 'Citizens, and Burgeses of the lower House, have chosen me, your

The Speakers Speech to the Queen.

An. 1601.

'your Majesties most humble servant (being a member of the
'same House) to be their Speaker: But my self finding the
'weakness of my self, and my abilities too weak to undergo so
'great a burden, do most humbly beseech your most sacred Ma-
'jesty, to continue your most gracious favor toward me; and not
'to lay this Charge, so unupportable, upon my unworthy
'and unable self. And that it would please you, to command
'your Commons to make a new Election of another more able
'and sufficient, to discharge the great service to be appointed by
'your Majesty, and your Subjects.

'And I beseech your most Excellent Majesty, not to inter-
'pret my denial herein, to proceed from my unwillingness to
'perform all devoted dutiful Service: But rather out of your
'Majesties Clemency and Goodness, to interpret the same, to pro-
'ceed from that inward fear and trembling, which hath posses-
'sed me when heretofore, (with most gracious Audience) it hath
'pleased your Majesty, to Licence me to speak before you. For I
'know, and must acknowledge, that under God, even through
'your Majesties great bounty and favour, I am that I am. And
'therefore none of your Majesties most dutiful Subjects, more
'bound to be ready, and being ready, to perform the least of your
'Majesties Commands.

'I do therefore, most humbly beseech your Majesty, that in
'regard the service of so great a Prince, and flourishing King-
'dom, may the better and more successively be effected, to com-
'mand your dutiful and loving Commons, the Knights, Citi-
'zens, and Burgessees of the Lower House, to proceed to a new
'Election.

'Then, after he had made three Reverences, the Queen cal-
'led the Lord Keeper, to whom she spake something in pri-
'vate. And after that, the Lord Keeper spake in effect as fol-
'loweth.

The Lord
Keeper An-
swers by the
Queens Com-
mand.

'Mr. Speaker, Her Majesty, with gracious Attention, having
'heard your wise and grave Excuse; for your discharge, com-
'manded me to say unto you, That even your eloquent Speech,
'in excuse of your self, is a great Motive, and a Reason very
'perswasive, both to ratify and approve of the Choice of her
'loving Commons, the Knights, Citizens, and Burgessees; as al-
'so to commend their wise and discreet Choise of your self, in
'her gracious Senfure, both for Sufficiency well Able, and for
'your fidelity and service, well Approved of; and therefore, her
'Majesty taketh this Choice of yours, for *bonum omen*, a sign of
'good and happy Success, when the beginning is taken in hand
'with so great Wisdom and Discretion: Her Majesty therefore,
'Commanded me to say unto you, That she well liketh of your
'Election, and therefore she Ratifieth it, with her Royal Af-
'sent and Consent.

Then; Mr. Speaker making three low Reverences, Answered,

red in this sort. 'Most sacred and most puissant Queen, seeing
'it hath pleased you to command my service; by consenting to
'the free Election of your dutiful and loyal Subjects, the Knights,
'Citizens, and Burgeses of the House of Commons, of me to be
'their Speaker: I most humbly beseech your Majesty, to give
'me leave to shew unto you, the dutiful thoughts, and earnest
'affections of your loyal subjects, to do your Majesty all ser-
'vice, and to defend your Sacred and Royal Person, both with
'their Lives & Goods against, &c. And so made a vehement invective
against the Tyranny of the King of *Spain*, the Popes ambition,
and the Rebels in *Ireland*; which he said, were like a Snake
cut in pieces, which did crawl and creep to joyn themselves
together again. And lastly, with prayers, to continue the pro-
sperous Estate and Peace of this Land, which had been defended,
as he said, by the mighty Arm of our Dread and Sacred Queen.
(To which she answered openly her self, *No, but by the mighty hand
of God*, Mr. Speaker.) Then he proceeded to the last part, to
beseech her Majesty for freedom of Speech to every particular
member: For access to her Person, liberty of Priviledg to all
the Members of this House, and their Servants. And lastly, if
any mistaking of any Message (delivered unto him from the
Commons) should happen, that her Majesty would be pleased
to attribute that to his weakness, in delivery or understanding,
and not to the House: As also, any forgetfulness, through want
of memory; or that things were not so judicially handled, or ex-
pressed by him, as they were deliver'd by the House. To which,
after the Queen had spoken to the Lord Keeper again; the Lord
Keeper spake in effect, as followeth.

43 Eliz.
The Speakers
second Speech

'Mr. Speaker, her Majesty doth greatly commend, and like of
'your grave Speech, well divided, and well contrived; the first
'proceeding from a sound Invention, and the other from a settled
'Judgment and Experience: You have well, and well indeed,
'weighed the state of this Kingdome, well observ'd the great-
'ness of our puissant, and great Empire, the King of *Spain*; the
'continual and excessive charges of the Wars of *Ireland*; which
'if they be well weighed, do not only shew the prudence of our
'gracious Sovereign, in defending of us; but also, the greatness
'of the charge continually bestowed by her Majesty, even out
'of her own Revenues, to protect us; and the exposing of her
'Majesties self to continual troubles, and toilsome Cares, for the
'benefit and safety of her Subjects.

The Lord-
Keeper re-
plies, by the
Queens Or-
der.

'Wherefore, Mr. Speaker, it behoveth us to think, and say,
'as was deliver'd by a great man lately, in a *Concilio ad Clerum*,
'*opus est subsidio, ne fiat exitum*; or as I think, *excedium*.

'Touching your other Requests: *First*, For freedom of Speech,
'her Majesty willingly Consenteth thereunto, with this cauti-
'on; That the matter be not spent in Idle and Vain matters,
'Painting out the same with Froth, and Volubility of words.

'And her Majesty Commandeth, That you suffer not any
'Speeches made for Contention, or Contradiction-sake, maintain-

An. 1601.

‘ed, only by a Tempest of words; whereby the Speakers may
 ‘seem to get some reputed Credit, by imboldning themselves
 ‘to maintain Contradiction, and on purpose to trouble the
 ‘House with vain and long Orations, to hinder the Proceedings
 ‘in more weighty and greater Importance.

‘Touching Access to her Person, she most willingly granteth
 ‘the same; desiring she may not be troubled, unless urgent
 ‘and matters of great Consequence compel you thereunto. For
 ‘this hath been held for a wise Maxime, *In troubling great
 ‘Estates, you must trouble seldome.*

‘For Liberty unto your selves, and servants, her Majesty
 ‘hath Commanded me to say unto you all, That she ever in-
 ‘tendeth to preserve the Liberty of the House; and granteth Li-
 ‘berty to the meanest Follower of the meanest Member of this
 ‘House.

‘But, her Majesties Pleasure is, you should not maintain, and
 ‘keep with you, notorious Persons, either for Life, or Behavi-
 ‘our; As desperate Debtors, who never come abroad, fearing
 ‘her Laws, but at these times. Petty Foggers, and Vipers of
 ‘the Common Wealth; prouling and common Solicitors, that
 ‘sets Dissention between man and man, and men of the like Con-
 ‘dition to these.

‘These her Majesty earnestly desireth, a Law may be made
 ‘against; as also that no Member of this Parliament would en-
 ‘tertain, or bolster up any man on the like Humor, or Quali-
 ‘ty, on pain of her Highnesses Displeasure.

‘For the Excuse of the House, and your self, Her Majesty Com-
 ‘mandeth me to say, That your Sufficiency hath so often times
 ‘been approved before her, That She doubteth not of the Suffi-
 ‘cient Discharge of the Place you shall serve in.

‘Wherein, she willeth you, to have a special Eye, and Re-
 ‘gard; not to make new and idle Laws, and trouble the House
 ‘with them: But rather to look to the Abridging, and Repeal-
 ‘ing of diverse obsolete and superfluous Statutes.

‘As also, *First*, To take in hand Matters of greatest Moment
 ‘and Consequence; In doing thus, Mr. *Speaker*, you shall fulfil
 ‘her Majesties Commandment, do your Country good, and fa-
 ‘tisfy Her Majesties Expectation.

Which being said, the Speaker made three Reverences to
 the Queen. Then the Lord Keeper said; *For certain
 great and weighty Causes, Her Highness's Pleasure is, the
 Parliament shall be Adjourned until Friday next.*

Which Speech, was taken to be an Adjournment of the Low-
 er House, but it was not so meant; wherefore the Lower House
 sate the next day, being *Saturday* morning.

So, after some room made, the *Queen* came through the *Com-
 mons*, to go into the *Painted-Chamber*, who graciously offering
 her Hand to the *Speaker*, he kissed it; but not one word she
 spake unto him, neither, as she went through the *Commons*;
 few said, *God* bless your Majesty, as they were wont in all
 great

great Assemblies. And the throng being great, and little room to pass, she moved her Hand to have more room; whereupon one of the Gentlemen Ushers said openly, *Back Masters, make room.* And one answered stoutly, behind, *If you will Hang us, we can make no more room:* which the *Queen* seemed not to hear, though she heaved up her Head, and looked that way towards him that spake. After, she went to *White-Hall* by Water.

43 *Eliz.*

Saturday, Octob. 31. I was not there, thinking the House had not sate till *Thursday*; but I heard there was a motion made for the maintenance of the Priviledges of the House, and to have a Committee for it; which was appointed on *Thursday* at one of the Clock in the Afternoon. And two Bills were Read, one against Drunkenness; another, that no Bishop, nor Arch-Bishop, may make any Lease in *Remainder*, or Reversion, until within three Years before the expiration of the former Lease.

This Day, the Prayer was brought into the House, which was appointed every Morning to be Read, during the sitting of this Parliament, amongst other Prayers, by a Minister appointed for that purpose.

The COPY of the P R A Y E R.

OH Eternal, Almighty, and ever Living GOD; which hast made the Eye, and therefore seest; which hath framed the Heart, and therefore understandest; from whose only Throne all wisdom cometh: Look down upon us, that call upon Thee; bow down thine Ear and hear us; open thine Eyes and behold us, which in the Name of thy Son, and our Saviour, do lift up our Hearts unto Thee. Forgive us O Lord, forgive us all that we have done amiss, in Thought, Word, or Deed. Forgive us our negligences; forgive us our unthankfulness, make us mindful of thy Benefits, and thankful for all thy Mercies. Thou that seest the Hearts, and searchest the Reins, and beholdest the utmost parts of the world, try and examine our Hearts, and guide us in thy ways; knit our Hearts unto Thee, that we may fear thy Name. Let us ever fear this Glorious, and Fearful Name, The Lord our God. Let all that despise Thee, feel thy Judgments: Let all Men know, it is a fearful thing to fall into the Hands of the Living God: Let thy Mercies always prevent us, and compass us about: In all our ways, words, and works, let us set Thee always before our Eyes. Remove from us all vanity and hypocri-

A Prayer to be used Every Morning in the House of Commons.

An. 1601.

hypocrisy. Let thy Truth always preserve us; Bless our Consultations and Councils, bless the Thoughts of our Hearts, bless the Words of our Lips; let our Meditations be acceptable in thy sight. Let all be directed to the advancement of thy Glory, the upholding of thy true worship, the safety of thy blessed Servant and Anointed Queen, our dear and dread Sovereign; and to the continuance of the Peace and good of this Land. Let all prosper that love Thee; confound the Council of the wicked, break their Jaws in their Mouths that speak against thy Truth, or have evil will against Her, whom in thy great Mercy thou hast set over us; multiply and increase her days; add age after age in all peace and happiness, unto her Years; make her a long Nursing Mother unto thy Church, a Comfort to thy People, a Terror to thine, and her Enemies: Bless her Armies, both at home and abroad; bless her going out, and her coming in; bow down the Backs of all that rise against her, continue thy Truth, Grace, Mercy, and Peace amongst us, whilst the Sun endureth: And we will Offer unto Thee, O Lord our God, the Sacrifice of Prayer and Thanksgiving; we will Praise Thee with joyful Lips, our Hearts shall rejoyce in Thee, we will sing of thy Salvation, all the Days of our Lives, and always say, Thine is the Kingdom, all Power, and Glory, for ever and ever, Amen.

A Bill against
Ale-Houses,
&c.

A Bill for
breeding of
Horses, &c.

Sir Edm. Hob-
by's Speech
for Abridg-
ment of Laws
Penall.

Seconded by
Mr. Serjeant
Harris.

Then by Mr.
Wiseman.

Munday, November, 2d. The House sate, and an Act was Read against Excess in Inns, Victualling-Houses, and Ale-Houses: By the preclose of which, every Ale-House-Keeper, or Inn-Keeper, was required to Observe certain Rules, or to Forfeite five Pound.

An Act for the Breeding of Horses for Service, and for the avoiding of the stealing of them, was put in by the Lord Chief Justice Popham.

Sir Edward Hobby, made a Speech for the Abridging of the multiplicity of Penal Laws, which he said, 'Were the Thornes that did prick, but did yield no Fruit; and that they being not looked unto, it bred in us an alteration of Manners; and therefore, the Proverb must needs be fulfilled, *Morum mutatio mutationem legum requirit*; times are not as they have been, and therefore the necessity of the times, requires a necessity of the Alteration of Laws: and commending the proceedings of former Ages, he concluded with a desire of a Commitment.

Which speech, was seconded by Mr. Serjeant Harris; who said, 'That Anno 27. of the Queen, the like motion had been made, and that then by reason of the shortness of the time, and sudden ending of the Parliament, nothing was done therein; notwithstanding (he said) this motion, being now so happily made, in the beginning of the Parliament, he thought it fit, for his part, to deserve a Commitment.

He was Seconded again, by Mr. Wiseman of *Lincolns-Inn*; who was of the same mind, and said, 'That divers particular Laws, of his knowledge, were now both needless to be performed, as also dangerous to the Subjects, by reason of the Penalties. So a Commitment was granted, divers Committees assigned; and Fryday in the Afternoon, at two of the Clock

'Clock in the *Exchequer-Chamber* appointed for that Purpose.

The Act was Read for Explanation of Statutes for Leases made by Arch-Bishops and Bishops.

Mr. *Speaker* shewed to the House, That some particular Members found themselves aggrieved, That the antient Order for Putting off their Spur, before they came into the Parliament-House, was not observed, which he prayed might be done; others would have Boots and Rapiers taken away; but nothing was done therein.

Tuesday, November 3. The Act to preserve the Breed of Horses, and against the Stealing of them, was Read: And a motion was made therein, by Sir *George Moore*, who said, 'That he feared, the Bill would not pass, in that two Vouchers by this Bill must be; where by a former Statute, there is to be but one, and that very hardly observed. And besides, the Law may be defrauded, because a poor Man must sell a Horse, and so be voucher after, and then not able to answer the value. So the Bill was Committed, and the Committees appointed to meet in the *Exchequer-Chamber*, to Morrow in the Afternoon.

The Act to restrain the Excess and Abuse used in Victualing-Houses; and Mr. *Johnson* moved, that bodily punishment might be inflicted on Alehouse-Keepers that should be offenders; and also Provision made therein, to restrain Resort to Alehouses.

In the same Bill, Sir *George Moore* made a Speech, against Drunkenness, and desired some special Provision might be made against it: 'For, although there were Laws already against it, yet they did not reach grievous enough to the offence in that kind now Committed. And therefore, we must not be like Spiders, that always keep their old, and the same Webs, so allowing the same Laws which must alter with the times; and touching the Authority that is given to the Justices of Assize, and Justices of the Peace, by this Bill, That they shall assign Inns, and Inn-Keepers, I think that inconvenient: for an Inn is a Mans Inheritance, and they are set at great rates, and therefore, not to be taken away from any particular Man.

Another wish'd, that there might be a reformation of Ale, which is now made so strong, that he offered to affirm it upon Oath, that it is commonly sold for a Groat a Quart. *It is as strong as Wine, and will Burn like Sack.*

Mr. *Glascock* of *Grays-Inn* moved to the House, and said, 'Mr. *Speaker*, I will only liken this Bill to the Suppression of Stews and Bawdy-Houses, in old time; That, where then all Whores and Bawds were together in one House, now being suppressed, every Mans House is a Bawdy-House; so, if you take away Alehouses, and hinder them from being Drunk there, it will be a ready way to make every Man Drunk at his own House, at home.

43 Eliz.

Mr. *Johnson* moves for Corporal punishment against the Alehouse-Keepers.

Glascock against the suppressing of Alehouses for very good Reasons.

An. 1601.

Mr. Leigh
moves to
have the Lord
Keepers
Speech re-
peated.

Secretary Ci-
cil Speaks.

Mr. Leigh stood up, and moved Mr. Speaker, that some of the House were desirous to know what the Lord Keepers Speech was, in the Upper-House of Parliament, when the Burgesses were kept out: And also he complained of a Gentleman Usher, that said through the Door of the Upper-House, *That if they were not quiet, they should be set in the Stocks.*

To which, Mr. Controuler made answer, That he would intreat Mr. Secretary Cicil, who was there, in regard he had promised to procure them the understanding of the Lord Keepers Speech, to deliver the Effect thereof. And also, he desired the House, that for any word spoken to any particular Member of this House, by the Usher, he would undertake particular satisfaction should be made.

So after a pause a while, Mr. Secretary stood up, and spake to to this Effect. 'I am sorry, and very loath to break a Resolution on that I had taken, which is, for some respects to have been 'Silent, or very sparing of Speech all this Parliament, but your 'Commandments are to me a Law. And I will be always ready 'to pleasure any particular Member of this House, in this or the 'like Design.

'My memory is frail, and I know my self unable to Deliver 'Articulately, the Grave & Learned Speech of that Wise and Wor- 'thy Counsellor, who first spake it; For hard it is to tell a Wife- 'mans tale after him, and therefore to particularize, I must plead 'my Excuse: Seeing men of the best Sufficiency may forget, 'when ordinary Capacities may Remember; my mind was not 'then fit for Attention, when I had some cause of Distracti- 'on.

'He used perswasions of Thankfulness and Obedience, as also 'shewed her Majesties Desire of a Dissolution of this Parliament 'before *Christmas*; He shewed unto us the Necessity we stand in; 'and the means to prevent it; The necessity he said is the Wars 'between *Spain* and *England*; the means to prevent it, Treasure. 'His Advise was, that Laws in force might be Revisited, and 'Explained, and no new Laws made. The Cause of the War 'he laid down to be, That they were Enemies to God, the Queen, 'and the Peace of this Kingdom; That they Conspired to over- 'throw Religion, and to Reduce us to a Tyrannical Servitude.

'These two Enemies, he Named to be the Bishop of *Rome*, and 'the King of *Spain*. Our Estate being thus, He Summon'd us to be 'Provident and Confident; Provident, by reason we deal with a 'provident Enemy; and Confident, because God hath ever, and 'I hope ever will, Bless'd the Queen with Successful For- 'tune.

'He shewed how Apparent his Providence was; for by Ex- 'perience and Judgment, You know his Torturing he giveth, 'and the Means and Courses he taketh for our Destruction. And 'Secondly, the Success we have had against him, by Gods strong- 'Arm of Defence in 1588. and diverse times since. You see to 'what Effect the Queens Support of the *French Kings* Estate 'hath brought him unto, even made him one of the greatest Princes

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'Princes in *Europe*; Yet when her Majesties Forces there left him,
'how again he was fain to Ransome a Servile Peace at our Ene-
'my the *Spaniards* Hand, with Dishonourable and Servile Con-
'ditions. For the Low-Countries, how by Her Aid, she hath
'from a Confused Government, and Estate, brought them to an
'Unity of Council, and defended them with such Successe, in
'her Attempts against the greatest Power of the *Spaniards* Tyran-
'nical designs: Which hath so much Gauled him, that how
'many desperate Practises have been both Devised, Consented
'unto, and set on Foot by Commandment of the late King his
'Father; I need not now shew you, nor trouble you with Argu-
'ments for Proof thereof, being Confessed by them, that should
'have been Actors themselves of those bloody Designs, but *De*
'*mortuus nil nisi bonum*. I would be loath to speak of the Dead,
'much more to slander the Dead. I have seen her Majesty wear
'at her Girdle, the Price of her Blood; I mean Jewels which
'have been given to her Physitians, to have done that un-
'to her, which I hope, God will ever keep from her; but she hath
'worn them rather in Tryumph than for the Price, which hath
'not been greatly valuable.

'Then he fell to perswade us, because new Occasions were Of-
'fer'd of Consultations to be Provident in Provision of means for
'our own Defence and Safety, seeing the King of *Spain* means
'to make *England* miserable, with beginning with *Ireland*; nei-
'ther doth he begin with the Rebels, but even with the Terri-
'tories of the Queen her self.

'He shewed, that Treasure must be our means; for Treasure
'is the sinews of War. Thus much that Honourable Person said,
'from whom I protest I would diminish nothing, that should be
'spoken of, if I could Remember more, or deliver it better:
'And I had rather wrong my self than wrong him.

'For my own Advise, touching the particular Councils of
'this House: I wish, that we would not trouble our selves with
'any Fantastick Speeches, or idle Bills; but rather, with such
'as be for the general good, both light in Conception, and facile
'in Execution: Now, seeing it hath pleased you all, with pati-
'ence hitherto to hear me, If with your Favor, I may particu-
'larize, and shew the Grounds of the former Speech, touching
'the State of *Ireland*, I shall be very glad, both for my own Dis-
'charge, and your Satisfaction.

'The King of *Spain*, having quit himself of *France*, by a base
'and servile Peace, forgetteth not to follow the Objects of his
'Fathers Ambition. *England*, and the *Low-Countries*, he hath
'made diverse Overtures of Peace to; which, if they might be
'both Honorable, and for the publick good, I hold him neither
'a Wise, nor an Honest man, that would Impugne them. He
'hath put an Army into *Ireland*, the Number Four Thousand,
'under the Conduct of a valiant, expert, and hardy Captain,
'who Chooseth, rather than to return to his own Country
'without any Famous Enterprize, to live and die in this Ser-
'vice.

'These

Cecil now
gives his own
advice.

An. 1601.

‘These Four Thousand, are three parts of them natural *Spaniards*, and of his best expert Soldiers, except them of the *Low-Countries*; those he would not spare, because of his Enterprize ‘of *Ostend*; and how dangerous the loss of that Town would be ‘to this Land, I think there is no man of Experience but can ‘Witness with me, that he would easily be Master of that Coast; ‘and that the Trade between *England*, and the *Low-Countries*, ‘were quite Dissolved; yea, he would be so dangerous a Neighbor to us, that we which are Tenants at Discretion, are likely ‘shortly to be Tenants by his Courtelie; when he is our Neighbor of the *Low-Countries*, what Neighbor hath *Spain*, to whom ‘he shall not be a trouble?

‘I will shew you further, what besides this he hath done, ‘and how *Eagle-eyed* he is still over us. To resist the *Turks* Attempt; he hath sent Ten Thousand Men. To the *Low-Countries*, he hath sent Nine Thousand. In an Enterprize of his ‘own against the *Turks*, he hath sent — which being dispatched, those Souldiers shall return against the next Spring, and second ‘these Four Thousand now in the Enterprize for *Ireland*.

‘To resist these Attempts in Being, and the ensuing provisions against us, Let us consider the certainty of our Estate in ‘*Ireland*: We have there an Army, and nothing but an Army, ‘fed even out of *England*: with what Charge it brings to the ‘Queen, what Trouble to the Subject, what danger it is to ‘them there left, if the Provision should fail; What hurt to ‘the Common-wealth, by making things at an higher Rate than ‘otherwise they would be, I refer it to your Wisdoms to imagine

‘Over this, I assure you, It is beyond all President and Conjecture, his Pretence and Cause of War there, is to defend ‘the Catholick Cause; I mean, to Tear her Majesties Subjects ‘from her; for I may say, she hath no Catholick Obedient Subjects there, because she standeth Excommunicated at this present, by force of two Bulls of this Popes, by which her Subjects are Absolved of their Obedience. That you do only Remember you do it; *pro aris & focis*, yea we do it for a Prince, ‘that desireth not to draw any thing extraordinary out of the ‘Coffers of her Subjects: She selleth her Land to Defend us; ‘she Supporteth all her Neighbor-Princes, to gain their Amity, and ‘Establish our long Peace; not these five, or seven, or ten Years, but ‘Forty-three Years, for all our Prosperities: I hope I shall not see her ‘Funeral, upon which may be Written, *Hic solum restat victrix Orientis*, and I pray God, I may not; what we freely give unto Her, ‘she living bestows it to our Good; & dying, doubtless, will leave it ‘for our Profit. Thus have I out of my own Genius, for my ‘own part, delivered unto you what I know: And touching ‘that I have spoken, in performing your Commandment, I will ‘take no thank from you for my Pains: For no man cares with ‘less Affection to speak in this Assembly, or desireth to gratify any particular Member of this House, more than my self.

The Bill for Ale was denied to be Committed, and not put to the question, whether it should be Ingrossed Yea, or No. But some Doubt made thereof, but as it seemeth, if the Committing be denied, it useth not to be Ingrossed, because the House will not lightly pass it.

Sir George Moore moved, that where the Lord Keepers Oration was, that the greatest matters should be handled in the beginning of the Parliament, that a Committee might be Chosen to Certifie the House, what those matters were; That Order might be taken accordingly; which Committee was appointed to meet in the House on *Saturday* in the afternoon.

Mr. Secretary Cecil said openly, that Sir Robert Wroth had offered One Hundred Pounds *per Ann.* towards the maintenance of the Wars.

On *Wednesday, Novemb. 4.* A Bill was Read for Punishment of the Abusing and Profaning of the Sabbath-Day, which after the second Reading, was committed, and the Committee appointed to meet, at two of the Clock in the afternoon, in the middle-Temple-Hall.

Mr. Serjant Harris moved the House, That in respect great danger and inconvenience might grow by the want of any one particular Member of this House, therefore he thought good to Certifie the want of a Knight for *Rutlandshire*; for he said, That Sir Andrew Noell, being the Sheriff of the County, had return'd himself jointly with Sir John Harrington to be Knights; which he took in Law, to be a void Return, because it is against the expresse Words of the Writ; which are, *Ita quod neque tu, neque aliquis alius Vicecomes alterius Comitatus eligatur, &c.* Which he thought good to move the House in, referring it to their Considerations; and prayed, that the Record may be sent for from the Clerk of the Crown. For (said he) we know, in Law, that a Man cannot make an Indenture to himself: No more can he here, between Himself and the County; for there are required Two Persons.

To which Sir Edward Hobby replied, That notwithstanding this, the House might well Receive him: And he vouched a Precedent in the *Twenty-Fifth*, (or *Twenty-First*) of this *Queen*; when a Writ was directed to the Bayliffs of *Southwark*, to return Burgeses, and they returned Themselves, and were Received. But if we do not Receive him, another Question will grow: whether a new Warrant must go from the Speaker, to Elect a new Knight, or from the Clerk of the Crown. To which it was agreed, *per omnes*, It must go from the Speaker.

Then Mr. Wiseman of *Lincolns-Inn* stood up, and shewed the Necessity of having all our Members; because otherwise the Body is but maimed: And also, how dangerous a Precedent this would be, if it might pass with the Applause of the House. And lastly, the Reason of putting in the afore-said special Words in the Writ; because it must be necessarily intended, that they being so great Officers, having so great a Charge, and their

D d d

Presence

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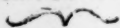
Sir Rob. Wroth offers 100. l. per Annum towards the Wars.

A Motion about a Void Election; the Sheriff Returning himself.

Sir Edm. Hobby Replies, & quotes Precedents.

Mr. Wiseman Opposes him.

An. 1601.



Mr. Cary's
Motion.

Sir John Harrington excu-
ses the Sher-
riff.

The Speaker is
not of his O-
pinion.

Mr. Comptrol-
ler puts a
Question,
which the
House deter-
mines.

A New Ele-
ction voted.

And the
Warrant to
be Issued by
the Speaker.

A Bill touch-
ing Bishops
Leases.

Mr. Boyes op-
poses it, and
gives his Rea-
sons.

Presence in their Counties so requisite, should not be returned. Besides, for that time, they be the Chief Men of the Shire: Free-Holders, peradventure, would rather Choose them, than Men far more sufficient for that Place.

Mr. Cary moved, *whether it were with his will, he should be punished by Fine, or otherwise.*

Sir John Harrington said, *Of his own Knowledge, he knew him very unwilling.* But the Free-holders made Answer, *They would have none other.*

Mr. Speaker said, *It could not be intended to be against his will, because his Hand is to the Indenture.* But he moved, *whether it should be intended, that this Sir Andrew Noell were Una & eadem Persona, or no? And though he were, yet, whether they could take notice thereof? and to be certified out of Chancery.* To which all the House said, *There was no other of the Name.*

Then Mr. Comptroller stood up, and moved, That in respect the Return was joyn't, and that they did disallow Sir Andrew Noell, he desired to be resolved of the learned Masters of the Law of this House, *Whether all the Return was insufficient, and so Sir John Harrington to be Excluded?* To which all the said House said, *No.*

Mr. Serjeant Harris said, *No; because the said warrant is Affirmative, to choose any but the Sheriff, who is excepted by special words: But the Return of the other is warranted; but of him, his Election is void.*

Sir Edward Hobby answered; *Nay then, Mr. Serjeant, if you stand on that, I think there are few Knights in this House lawfully Chosen: For the words of the writ, and of the Statute, are, That he must be Commorant within the County, which but few are.* To which not one word was answered; and so that Clause was shut up.

Mr. Speaker said; *well, I will put it to the Question, which shall be two-fold: One, whether a new Warrant shall be sent forth? To which, being twice moved, all cried I, I, I; and not one Man said No.*

Sir Edward Hobby said; *Mr. Speaker, the warrant must go from your self: for in the 27. Regina, when Parry was chosen Burge'ss for Queenborough, a new Election was made, and the warrant was sent from the Speaker.*

The Act touching Bishops Leases was read, viz. That no Bishop, or Arch-Bishop, might make any Lease in Remainder, till within Three Years of the expiring of the former Lease.

To which only Mr. Boyes stood up, and said; 'That this Act 'would be prejudicial both to the Bishop present, and the Suc-
'cessor, and their Servants, and to the Bishop's own Farmers
'and Tenants. To the Bishop present, in the Maintenance of
'his Estate, which cometh only by continual Fines; which, if
'they be taken away, then are they not able to maintain that
'Hospitality, or keep that Retinue either belonging to their
'Place, or answerable to their Living: For, consider the Reve-
'nue

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'nue of the greatest Bishoprick in England; it is but Two Thousand, and Two Hundred Pounds, per Annum; whereof he payeth for Annual Subsidy to the Queen, Five Hundred Pounds. And what Damage we shall do both to him, and his Successor herein, his Revenue being so Beneficial to her Majesty, I refer to all your Judgments. To the Successor it must needs be more hurtful; for when he first cometh in, he payeth First-Fruits, and yet is not allowed to make his Benefit by Fines; which all Bishop's Farmers are contented to do: So that he is cast one whole Years Revenue behind-hand; and perhaps, hath no Power neither to make Leases in Twelve or Sixteen Years.

'This, Mr. Speaker, will be a Cause to induce the Ministers of the word, not to seek Bishopricks; whereby we may bring the Clergy both to Poverty and Contempt; from which they have ever been carefully defended, and provided for, even by the most antient Statutes and Laws of this Realm, now Extant.

'Hurtful it is to their Servants; for this may be every Mans Case: We know, many good Gentlemens Sons served Bishops; and, How can they reward their long and faithful Service, but only by means of granting over of these Fines, or some other means out of the Spiritual Function? But this Act is good for the Courtier: But I must speak no more of that.

'Lastly; Mr. Speaker, my self am Farmer to a Bishop; and I speak this, as in my own Case, (on my Knowledge) to the House, that it is ordinary, upon every Grant after Four or Five Years, ever to Fine, and take a New Lease. But I refer it to the Consideration of the House, to do their Pleasures therein: Only this I certify, that I have the Copy of the Bill the last Parliament, exhibited to this Purpose; which I having compared together with this present Bill, do find them to be word for word all one; and that was rejected: And so, I doubt not, if the Reasons be well weighed, but this will have the like Success.

Upon whose Motion it was put to the Question, *whether it should be committed?* and all said, *No*; not one, *Yea*: So this Bill was rejected.

Upon which it was Rejected.

An Act was read, That Plaintiffs in Writs of Error, should give good Bail. To which no Man offer'd to speak: Whereupon Mr. Speaker stood up, and said, *That if no Man speak, it must be ingrossed.*

Mr. Cary said; *He thought it very fit, that the Bill should be first Committed: For, talking with Sir Roger Maynwood in his Life-time, Lord Chief Baron of the Exchequer, he was of opinion, That it was more fit, and more safe for the Subjects Good, and far more easie for the Judges, that the Money should be brought in to the Court, and no Recognizance taken; which, if it might be committed, the Bill might be amended in that Point; and, no doubt,*
would

An. 1601.

would pass. So it was committed, to be set upon on Monday, in the *Middle-Temple-Hall*, the *Nineth* of November.

Mr. *Johnson* moved the House, That whereas the last Parliament there were Three Bills: One touching Patentees, another touching the Clerk of the Market, and the Third touching Petty-Thefts. That these being Publick Matters, might be brought into the House this Parliament, and Read. And touching the Clerk of the Market, he durst undertake to lay open as many vile Practices, as almost there be Men in this House. He made a very long and good Speech, touching these Three Bills; which for Brevity, I omit.

An Act was read against fraudulent Administration of Testator's Goods.

The Bill against Drunkards was again read; the effect whereof was, That common Drunkards should be presented as common Barrettors; which was Committed upon the Motion of Mr. *Wise-man*, to the Committees for the Bill, for the Abuse of the Sabbath-Day. He said, It was very convenient in his Opinion; Blasphemers and Swearers were punished by some strict Law. And so told of a Conference betwixt him, and a Prisoner in the Gate-House at *westminster*; who throw a Window, seeing many Children playing, they Swore almost at every word: Then the Recufant asked him, If that was the Fruit of our Doctrine? and, How it chanced that our Doctrine being so sincere, such Blasphemy was committed? Therefore, that the Slanders of our Adversaries may be avoided, the Sin punished, and God's Name more revered, and Himself better served, some Provision in that Law, touching that Point, he thought very necessary.

An Act touching the Sowing of Hemp, was read the second time.

To which Bill, Sir *walter Rawleigh* spake, and said:

'For my part, I do not like this Constraining of Men to Manure, or use their Grounds at our Wills; but rather, let every Man use his Ground to that which it is most fit for, and therein use his own Discretion. For Halls, Cables, Cordage, and the like, we have plentifully enough from Foreign Nations; and we have divers Countries here in *England* make thereof in great abundance. And the Bill of Tillage may be a sufficient Motive to us in this Case, not to take the Course that this Bill intendeth: For where the Law provideth, That every Man must Plow the third Part of his Land, I know it, divers poor People have done so, to avoyd the Penalty of the Statute; when their Abilities have been so poor, that they have not been able to buy Seed-Corn to Sow it withal; nay, they have been fain to hire others to Plow it: which, if it had been un-plowed, would have been good Pasture for Beasts, or might have been converted to other good Uses.

Upon this Motion, all the House bad away with the Bill: But it was put to the Question, whether it should be committed, or no? But because of Doubt, the House was divided:

an.

An Act for
sowing Hemp.

Sir *Walt. Rawleigh* does Oppose it.

and the *Ys*, were 103. and the *Noes* were 162. So the Bill was not committed. After it was put to the Question for Ingrossing, and notwithstanding a Speech Mr. *Comptroller* made for the Weightiness thereof, it was denied; and so absolutely Rejected.

This was one of the *Proviso's* in the Bill For the Breeding, and against Stealing of Horses, viz. *That all Justices of Assize, in their several Circuits, and all Justices of the Peace in their several Quarter - Sessions, as well within Liberties, as without, shall have full Power and Authority to inquire of, and hear and determine all Offences to be committed against this present Statute. And there is a former Clause, That if Sale without Voucher be made, then the Person shall be apprehended, and carried to the next Justice, as a Felon.*

43 Eliz.
Upon which
it was Re-
jected.

A Proviso a-
gainst Steal-
ing of Horses.

On Thursday November 5. An Act touching certain Assurances used amongst Merchants, was Read and rejected.

An Act touching Reformation of Abuses in Ale-houses, and Tipling-houses; which Act, after the former was Rejected, was Read: The Effect whereof is, that for the sale of every pot of Bear, being not of the Assize of a full Ale-quart, the Seller shall Forfeit *Three Shillings four Pence*. "Note, that no Suitor is Named in this Bill; the same to endure till the end of the next Parliament, Read twice this Day.

The Bill for Observing the Sabbath-day, Read twice, and Ordered to be Ingrossed.

"*Nota*, That by the Order of this House, when a Bill is returned from Commitment, the Words must be twice Read, which are Amended, before the Ingrossing thereof.

An Act against false Returns, and Not Returns by Sheriffs and Bayliffs, twice Read, and Ordered to be Ingrossed.

5.

Bill against
Abuses in Tip-
pling-Houses.

Mr. Bacon stood up to Prefer a new Bill, and said:

Mr. Speaker,

'I am not of their minds that bring their Bills into this House 'Obscurely, by delivery only to your Self, or the Clerk; delighting to have the Bill to be *incerto Authore*, as though they were 'either Ashamed of their own Work, or Afraid to Father their 'own Children. But I, Mr. Speaker, have a Bill here, which 'I know I shall be no sooner ready to Offer, but you will 'be as ready to receive and approve.

'I liken this Bill, to that Sentence of the Poet, who set this 'as a Paradox in the Forefront of his Book, *First water, then Gold*; Preferring Necessity before Pleasure. And I am of 'the same Opinion, that things necessary for Use, are better than 'those things glorious in Estimation.

'This, Mr. Speaker, is no Bill of State, nor of Novelty, like 'a stately Gallery for Pleasure; but neither to Dine in, or 'Sleep in; but this Bill is a Bill of Repose, of Quiet, of Profit, and of true and just Dealing; the Title whereof is, *An Act for the better Suppressing of Abuses in weights and Measures.*

E e e

'We

Mr. Bacon
Moves to pre-
fer a New
Bill.

An. 1601.

'We have turned out divers Bills, without Disputation, and for
'a House of Gravity and Wisdom, as this is, to bandy Bills like
'Balls, and to be silent, as if no body were of Council with the
'Common-wealth, is unfitting, in my Understanding, for the
'State thereof.

'Ple tell you, Mr. *Speaker*, Ple speak out of my own Experi-
'ence, that I have learn'd and observ'd, having had Causes of
'this Nature referred to my Report, That this fault of using
'false Weights and Measures, is grown so intolerable and com-
'mon, that, if you would Build Churches, you shall not need for
'Battlements, and Bells, other things than false Weights of Lead
'and Brass.

'And, because I would observe the Advice that was given in the
'beginning of this Parliament, That we should make no new
'Laws; I have made this Bill onely a Confirmation of the Sta-
'tute of 11 Hen. 7. with a few Additions, to which I will speak
'at the passing of the Bill, and shew the Reason of every particu-
'lar Clause; the Whole being but the revival of a former Statute;
'for I count it far better, to Scour a Stream, than to Turn a
'Stream. . And the First Clause is, that it Extends to the Princi-
'pality of *wales*, to constrain them to have the like Weights
'with us in *England*.

Sir Robert Wroth made a motion for a Commitment to amend
the Statute for the Relief of the Poor, and Building of Houses
of Correction, made the last Parliament 39 *Regina*: And also for
the continuance of certain Statutes, which was referred to Com-
mitment on *Tuesday* next in the *Exchequer-Chamber*.

Nota.

"By Order of the House, it was agreed upon, That a
"Committee once made and agreed upon, there shall not here-
"after be more Committees joined unto them, for the same Bill;
"but for any other there may.

Secretary Cecil
makes a
Motion.

Sir Robert Cecil mov'd the House, To have their Opinions, in
that there wanted a Chief Member, *viz.* a Knight of *Denby-shire*.
And he said, *I am to Certifie the House thus much, in respect of some*
Disorder Committed there touching the Election, by Sir Rich. Trevor,
and Sir John Flood, to which Sir John Salisbury is a Party, the Sher-
riff could not proceed in Election; For my own part, I think it fit,
Mr. Speaker should attend my Lord-Keeper therein. (quod not at-
tend) if it please you, you shall hear the Letter. Which was Read,
the Contents whereof were,

He Reads a
Letter about
a Disturbance
at the Electi-
on of Knights
for the Shire.

That on the Twenty-first of October, he kept at — the
County-day, and there being quietly Choosinge the Knight
for the Shire, a Cry came suddenly, that Sir Richard Trevor and
Sir John Flood on the one Party, and Sir John Salisbury on the
other, were together fighting, and all their Companies ready to do
the like; whereupon, presently I went to the Church-yard where they
were, and there I found both Parties, with their Swords drawn ready,
but with much ado pacifi'd them both. And fearing lest by drawing
such a Multitude together, there might great Danger and Bloodshed
happen;

happen, I made Proclamation, That every Man should depart; by means wherof I did not Execute her Majesties writ, as I thought to have done, rather choosing to adventure your Honour's Censure herein, than to hazard so great Bloodshed. Under Subscribed,

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Your Honour's most humble at Commandement,

Owen Vaughan.

Also Mr. Secretary said, There was a Schedule annexed to the Letter, which had some other Matters of Importance, not fit to be read; yet if it did please the House to command it, they should: Whereupon all cryed No.

Sir Edward Hobby answer'd; *Methinks, under Favor, the Motion Mr. Secretary made, was good; but the Form therein, (I speak with all Reverence) not fitting the State of this House: For he said, Mr. Speaker should Attend my Lord-Keeper. Attend! It is well known, that the Speaker of this House is the Mouth of the whole Realm: And that the whole State of the Commonalty of a Kingdom, should Attend any Person, I see no reason. I refer it to the Consideration of the House. Only this Position I hold, That our Speaker is to be Commanded by none, neither to attend any but the Queen only.*

Sir Edw. Hobby takes Exceptions at his Expressions.

Mr. Johnson said, The Speaker might, ex Officio, send a warrant to the Clerk of the Crown; who is to certify the Lord-Keeper, and so make a New Warrant.

Sir Edward Stanhop said, That for Election of Burgesses, he had seen half a score warrants Yesterday, with Sir John Puckering's Hand to them, when he was Speaker.

Mr. Speaker said, That I may inform you of the Order of the House, The warrant must go from the Speaker to the Clerk of the Crown; who is to inform the Lord-Keeper, and then to make a New Writ.

Mr. Secretary Cecil said, I should be very sorry to detract from any particular Member of this House, much more from the general State: My Meaning was mistaken, and my words misconstrued; yet both in Substance agreeing with Mr. Speaker.

Sir Edward Stanhop said, I think in the Bill for Ale it were very fit, that Power were given to Lords in Leets, to take the like Penalty, and to inquire thereof there: And withal, that they keep not Victualling, nor sell Ale any longer.

An Act for Redress of certain Abuses used in Painting; which, when it was offered by the Clerk to be read, he being asked by Sir Edward Hobby, sitting by him, what Bill it was; he answered, A Bill of no great Moment.

"Nota, The same was for the City of London only, or for a certain Compass of Miles about it.

Sir Francis Hastings exhibited a Bill against Blasphemous Swearing.

An. 1601.

Precedents,
That during
the Session of
Parliament,
the Warrants
for New E-
lections must
go from the
Speaker.

Nota.

At the Committee holden the said *Fifth Day of November*, there were these Precedents shewed, to prove, That Warrants ought to go from the *Speaker*, in case of Election of Knights, and Burgesses, in time of Parliament; viz.

First, The *Fourth of December, 1584.* 27 *Regina, Valentine Dale*, Master of the Requests, was returned Burgess for *Chichester*, and also for *Hydon*: but he chose *Chichester*; and *John Puckering*, Speaker, directed his Warrant to the *Clerk of the Crown*, to send a Writ to make a New Election in *Henden*: which bare Date the *Tenth of December*, six Dayes after, 27 *Eliz.*

"*Secondly*, The *Twenty-First of December, 1584.* The "Writ bearing Test the *Thirteenth of February*, for the same "Matter: In which the Style of the House is, *The Knights, Barons, Citizens, and Burgesses.* Quod nota.

Thirdly, The *Nineteenth of February, 1584.* when *Parry*, being Burgess of *Queenborough* in *Kent*, was attainted for Treason, a Warrant was directed to the *Clerk of the Crown*, directing to make a Writ, dated the *Nineteenth of February* afore-said: In which Warrant, under the *Speaker's* own Hand, was inserted a Reason to this Effect, viz. *Because the said Parry is disabled, by reason of his Attainder.*

Fourthly, The *Thirtieth of November, 1584.* *Thomas Bodithe* was elected Burgess of *Portsmouth*, and also Baron of one of the *Cinque-Ports*, viz. *Hithe*; but he took *Portsmouth*, and refused the other: A Warrant was directed as above-said; but no Test of the Writ was there.

Fifthly, The *Twenty-Eighth of January, 1584.* *Alexander Pymm*, Esquire, was chosen Burgess of *Taunton*: Being Deceased, a new Warrant was directed from the *Speaker*, to the *Clerk of the Crown*; and the Writ bare Test the *Thirtieth of January.*

Sixthly, The *Third of December, 1584.* *John Puckering*, being Speaker, was chosen Burgess for *Bedford*, and for *Carmarden*: who chose *Bedford*: And a Warrant was directed to the *Clerk of the Crown*, from the *Speaker*, to make a New Writ; which bare Date the *Fourth of December, Anno 27. Eliz.*

All which Writs were signed by the *Speaker John Puckering.*

For the Matter between *Dr. Aubery*, Doctor of the Civil-Law, and *Mr. William Delabar*, Barrister at Common-Law, touching the Burgesship of *Cardigan* in *Wales*; the Case stood thus: *Cardigan* being by antient Precedents, ever since 1. *Eliz.* a Burgess-Town; and ever the Return of the Indenture hath been for *Cardigan* only: Now this *Parliament*, the Sheriff of the Shire favouring a Town called *Aberistowe*; after he received the *Parliament-Writ*, sent his Warrant to the Bayliffs of *Aberistowe*, to chuse a Burgess, &c. who chose for their Burgess, *Dr. Aubery*, and returned him Burgess of *Cardigan* and *Aberistowe*; and shewed in the Indenture, the Election to be made by both Towns; and the Indenture was signed with the Sheriff's Hand.

On the other side, the Bayliffs of *Cardigan* understanding the Writ to be come to the Sheriff, took notice thereof; and with-
out

out VVarrant from the Sheriff, made an Indenture and Election of *william Delabar*, and sent the same in a Letter unto him. Mr. *Delabar* sought the Sheriff, and his Deputy in *London*, to deliver the Indenture of *Cardigan*; but not finding him, delivered the same to the *Clerk of the Crown*, paid his Fees, was Sworn, and admitted into the House, till this present Day.

Now, at this Committee of Privileges, Dr. *Aubery* came to complain. The Committees found upon Examination of the Matter, that the County-Court was kept at *Aberistowe*, & at *Cardigan*, *Alternis vicibus*; and that the County-Court was to be kept at this time at *Aberistowe*. So when they went to Conference, both *Aubery* and *Delabar* were desired to depart forth. And upon Consultation, these Questions arose:

First, VVhether the House have Power to Fine the Sheriff; because, according to the Statute, he sent not his VVarrant to *Cardigan*?

Next, If he be punishable by the Penalty of the Statute?

Also, If he have pursued his Authority, in making an Election in *Aberistowe*? VVhich were left, with divers other Doubts, to the Discussing of the House, and to the Report of Sir *Edward Hobby*, or Mr. *Solicitor*.

Also, in the 23 *Regina*, a VVarrant directed to the Town of *Hull*, from the Speaker *Popham*; now Lord Chief Justice, then Speaker.

Sir *Edward Hobby*, at this Committee, said by *Aubery* and *Delabar*, being the one Civilian, the other a Common Lawyer, *That he might say of them, as the Duke of Millan said of the Thief; It's no matter whether goes first; the Hang-man, or the Thief.*

The Town of *Harwich* in *Essex*, and *New-Town* in the County of *Southampton*, returned Burgeesses this Parliament, which never did before.

On Friday Novemb 6. An Act for the Uniting & Consolidation of certain small Churches in *Exeter*, into one Parish Church. *in part*

An Act for the better setting of Watches in the Night, for the Apprehending of suspected Persons, was Read.

To which Act Sir *George More spake*, and said:

Mr. Speaker,

I am still of Opinion, That it is good to have trial of Laws, before we make them perpetual; for those that be Night-walkers offend God, do the Common-wealth no good, and sin in both. In my Opinion therefore, it were good to limit the continuance of this Law, and that the Defects therein may be the better Examined, that it be Committed.

An Act, to prevent and avoid divers lewd Misdemeanors in Base and Idle persons.

Doct. *James*, a Civilian, being a Committee, brought in the Act against Drunkards, and common haunters of Taverns, and Ale-houses.

An Act for the Inhabitants of *Rapesdale*, in the County of *Lancaster*, touching the Buying of Wools.

F f f

An

A Saying of
Sir Edward
Hobby.

Bill for Set-
ting of Watch-
men.

An. 1601.

A Bill to avoid Contracts on the Sunday.

Mr. Glascock puts a Pleasant Case.

Bacon's Speech for Repealing superfluous Laws.

An Act for the better keeping of the Sabbath-day, called Sunday, was Read, in which Act, there was a Proviso, That all Contracts made on the Sunday, in Fairs or Markets, should be utterly Voyd; and the Goods so Contracted for, Forfeited to the Queens Use.

Mr. Glascock of *Grayes-Inn* stood up and spake to this Bill, and said,

‘ Mr. Speaker,

‘ I would willingly put one Case to the House, To know whether it be their minds, If a Man take a Wife on a *Sunday*, in Fair, or open Market, that this should be Void, and she and the Goods forfeited to the Queens Use? for that is a Contract: At which all the House Laughed.

Mr. Bacon said, ‘ May it please you Mr. Speaker, not out of Ostentation to this House, but in Reverence I do speak it: That I do much wonder to see the House so continually divided, and to agree upon nothing; to see many Laws here, so well framed, and Offences provided against, and yet to have no better Success and Entertainment. I do think every man in his particular, bound to help the Common-wealth the best he may; and better it is, to venture a mans Credit by Speaking, than to stretch a mans Conscience by Silence, and to endeavor to make that good in Nature, which is possible in Effect.

‘ Laws be like Pills all gilt over, which if they be easily and well swallowed down, are neither bitter in digestion, nor hurtful in the body; every man knows that Time is the true Controuler of Laws, and therefore there having been a great alteration of Time, since the Repeal of a number of Laws; I know, and do assure my self, there are many, more than I know, Laws both needless, and dangerous.

‘ I could therefore wish, that as usually every Parliament, there is a Committee selected for the Continuance of divers Statutes, so the House would be pleased also, that there might be a Committee for the Repeal of divers Statutes, and of diverse superfluous Branches of Statutes. And that every particular Member of the House, would give Information to the Committees, what Statutes, he thinketh fitting to be Repealed, or what Branch to be Superfluous, left, as he said, *pluat super nos laqueas*: The more Laws we make, the more Snares we lay to entrap our selves.

Upon which Motion, a Committee was granted to meet on Friday.

On Saturday November 7. An Act, That the *Marquesse* of *Winchester* may dispose of his Lands, whereof he is Tenant in Tayle, as other Tenants in Tayle may do, by the Laws and Statutes of this Realm, was read the first time; and the Pedigree hereafter set down, was then produced to the House.

Robert

43 Eliz.

Robert willoughby, — Dorothy
Lord Brook. 1. — 2. Wife.

Anne 1. — Charles Lord
Daughter. — Montjoy.

Sir John Pawlet — Elizabeth 2.
Lord Marquefs — Daughter 1.
of wincheſter.

James Lord
Montjoy.

Charles L^d.
Montjoy.

william Lord
Marquefs of
wincheſter.

Mary Married to the L^d. Cromwel,
& had Iſſue 2 Sons, & 1 Daughter,
ore Sn^r. and had Iſſue 2 Sons, &
1 Daughter; & had Iſſue 1 Son,
& George Cromwel, & 1 Daughter;
and had Iſſue 7 Children.

william, now
L Marquefs.

1. The Lady
Denny had
Iſſue two
Daughters.

2. The Lady Katha-
rine, 2d. Daugh-
ter, had Iſſue 4
Sons, 2 Daugh-
ters.

3. The Lady Eliza-
beth was Marry-
ed to Sir william
Courtney.

Sir william Courtney
had Iſſue 3 Sons.
and 6 Daughters.

Edward willoughby.

Blaunch, the Firſt Daugh-
ter, Married to Francis
Dawtery.

Elizabeth, the 2d. Daugh-
ter, Married Sir Fulke
Grevill, and had Iſſue

Fulke Grevill, Eſquire.

There was this day, a Page brought to the Bar, for that Yeſter-day Sir Francis Haſtings had cauſed him to be Committed: For that as he went down the ſtairs, the Page offer'd to throng him. Whereupon he held him till the Speaker came out of the Houſe, who did commit him to the Serjeant's Cuſtody, till this day, to know the Pleaſure of the Houſe, what they would do therein. But this day, upon Sir Francis Haſting's intreaty, ſpeaking very earneſtly for him, and of his innocency, and unwillingneſs to do that Faſt, as alſo upon the Pages Submiſſion upon his Knees at the Bar, he was diſcharged. It was

F f f 2

moved,

A Page is
brought be-
fore the Houſe.

An. 1601.

moved, That because his Hair was very Long, he might be carried to a Barber, and close cut before his Discharge. But that was thought very unfit, for the Gravity of the House to take notice of so light a fault; so, after a sharp and threatening Admonition, given him by the *Speaker*, he was Discharged.

Sir *Edward Hobbs* moved the House, That for as much as the antient Custom of the Parliament had been, that not only themselves, but their Servants should be free from all Arrests; yet notwithstanding, a servant of Mr. *William Cook*, a member of this House, was Arrested by one *Baker* a Serjeant, at the suit of another, upon a Bond, in which indeed he is but Surety, as may appear unto you by this Letter (so the Letter was Read) the Contents whereof was as aforesaid, with this Clause in the end, *From the most Loathsome, and the unfortunate Hole in the Prison of Newgate, I humbly, &c.*

Upon which Motion, as also upon Declaration of a Precedent in the 35. of *Henry* the Eighth: That the Sheriffs of *London* were Committed to the *Tower*, for Arresting *George Ferrars* a Member of this House: It was generally agreed, That the Serjeant of this House, should be presently sent with his Mace for the said Prisoner & his Keeper; and also should command the said *Baker*, the Serjeant, and the procurator of the Arrest, to attend the Court on *Monday* morning; so, after the Serjeant had been away about an hour and an half, he brought the Prisoner and his Keeper to the Bar, who Affirmed the whole matter as aforesaid. And the Keeper was Commanded to deliver his Prisoner to the Serjeant, which he did, by taking him by the Hand, and so delivered his Prisoner to the Serjeant. And the House commanded the Keeper to take no Fees, and so the Prisoner was quite discharged.

But Sir *Robert Wroth* moved to know, Whether Mr. *Cook* would Affirm that man to be his Servant, who stood up and said, *He was one of his most necessary Servants; for, in truth (quoth he) he is my Taylor.* And thereupon the Serjeant was sent for him as aforesaid.

An Act, for the better Setling of Watches, was Read, and committed, and the Committees to meet at the middle *Temple-Hall* on *Thursday* in the afternoon.

Mr. *Henshaw* moved the House, That the immediate Land-Lord of every such Night-Walker, should be bound for the good Behaviour of him to the Queens Use, which the House would by no means hear of.

An Act to avoid and prevent divers Lewd Misdemeanors in base and idle Persons, was Read and Committed to the Committees in the Bill for Night-walkers, to meet on *Thursday* after-noon, in the middle *Temple-hall*.

An Act against Drunkards, and haunters of Ale-houses, the Effect whereof is, *That if any man do go to an Ale-house within two miles of his own House, he shall Forfeit so much as he is in the Subsidy.*

Mr. *Glascock* spake to this Bill, and Informed the House, *That it was a common and usual thing in Lancashire, and those Parts, for Gentlemen as they go a Hawking, to go and take a Repast at an Ale-House;*

A Bill against going to an Ale-house, if within Two Miles of ones own House.

Mr. *Glascock* Opposes it.

house; Yea, men sometimes of 500. Marks a Year: But, Mr. Speaker, I hope these men are not intended to come within this Bill. And for the Act it self, I think it to be a meer Cob-web to catch poor Flies in.

Sir Francis Darcy said, I think this Bill very fit to be considered of, and Committed; for it tendeth to the Restraint of great Excess usually Committed, which we had need especially to provide for, seeing such continuall and great Provisions both of Meat and Drink, go daily out of the Land, chiefly into Ireland, That (as an Honourable Person affirmed in this House) we may feed an Army therewith, yea all the Realm, almost within the English Pale, and else where in other Countries.

Besides, in Restraining this great Excess, we shall do our Duties, and please God the more, who is jealous of his Honour, and will not suffer such and so great a Sin to go unpunished, neither in the Offenders themselves, nor in us that tolerate the same; but will lay his heavy hand of Wrath and Indignation upon this Land, which God avert and turn from us. So it was Committed, and the Committees appointed to meet on Fryday in the Afternoon, at the Middle-Temple-Hall.

The Act touching Weights and Measures was read; which, upon divers Motions, was clearly expung'd the House. Mr. Wiseman shewed a great Imperfection in the Bill, because there wanted a Remedy to meet with the Clerk of the Market. Besides, where a Punishment is inhaunc'd, and a special Privilege to gain greater Authority, it makes me doubt much of the good Intent: For, why should he desire to have Wales in, seeing he hath it in his Jurisdiction already. And, it is as ordinary as can be, Bring your Groat, (when he goeth a Circuiting) your Measure shall be Even.

It was after put to the Question for Committing; and some Twelve Y, Y, Y; but not one for the Ingrossing, but all said No: So it was Rejected.

In the Afternoon the same Day, at the Committee in the House, touching the Subsidies:

Sir Walter Rawleigh moved the House to consider, for what Intent they came thither; and now in their Coming, what was to be considered for the Subsidy, and the Manner and Quality thereof.

'I now only will intimate thus much unto you, That the Last Parliament only Three Subsidies were granted, upon fear that the Spaniards were coming. But now we see they are come, and have set Foot even in the Queens Territories already; and therefore, are the more of Us to be Respected and Regarded.

'And, seeing the Sale of Her Majesties own Jewels, the great Loans her Subjects have lent her, yet unpaid: the continual Selling of her Lands, and decaying of her Revenues; the sparing

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Sir Francis Darcy is for it.

Sir Robert Cecil.

Sir Walt. Rawleigh's Speech for Subsidies.

'even

An. 1601.

Mr. Wiseman's
Speech for
Subsidies.

'even out of her own Purse, & Apparell for our sakes, will not serve; but yet she must be fain to call her Court of Parliament for our Advice and Aid in this Case. I wish, for my own part, as a particular Member of this Common-Wealth, That we may not do less than we did before; and that we also would bountifully, according to our Estates, contribute to her Majesties Necessities, as now they stand.

Mr. Wiseman said, after a very discreet and judicious Speech made, touching Gods Protecting us for Religion-sake, our peace and quietness, the safety of her Majesties Person, the great Victories we have had, the greatness of Neighbour-Princes, only raised by her Majesty, so that she hath spent, as was said by Sir Walter Rawleigh, so much as that She is now fain to desire the help of her Subjects:

'Let us therefore, draw to some head, and leave our Orations and Speeches, fitter for a Parliament than a Committee; we are to consider only, what is fit to be given: And for my own part, as a poor Member, and one of the meanest in this House, I will be bold to deliver my Opinion first, because some must break the Ice, Three Pound Land and under, to pay Two Shillings and Eight Pence in the Pound; Five Pounds Goods, and under, to pay One Shilling Eight Pence in the Pound, and double Tenths and Fifteens, as soon as possible may be.

'And though I may seem over-bold, being but a Rural and Country man, to speak even out of my own Element in this Case, yet I do heartily crave Pardon of all, beseeching that neither my unaptness, nor disorder of Speech, nor the unworthiness of my Person, may prejudice the Cause.

Sir Rob. Wroth.

Sir Robert Wroth moved, That Four Pound Land might pay full Subsidy, and Six Pound Goods might pay full Subsidy unto Her Majesty.

Sir Francis Hastings.

Sir Francis Hastings mov'd, That the Three Pound Men might be Exempted, and all others above that Rate to Pay according to the Rate, to make up a full Subsidy.

Mr. Phillips.

Mr. Phillips mov'd, That Three Pound men might be spared, and Four Subsidies receiv'd from the Rich, which should be termed a Contribution, because it might make no Innovation.

Sir Walter Rawleigh.

Sir Walter Rawleigh said, If all pay alike, none will be aggrieved; if any be excepted, doubtless it will produce much Grief. And the feeling will be great to those Three Pound men that feel any thing, but it will be nothing to them that know any thing.

Exceptions against Speaking Sitting.

Sir Edward Hobby said, we cannot hear you speak out; you should speak standing, that the House might hear you.

So Sir Walter Rawleigh said, That being a Committee, he might speak Sitting or Standing; and so repeated over again his former Speech.

Secretary Cecil's Speech for Speedy & considerable Supplies.

Mr. Secretary Cecil said, 'Because it is an Argument of more Reverence, I choose to speak standing. As long as the Queen, by Advice of her Council, did find means to spare you, so long she ever desired her Subjects might not be Charged. But if her Majesty, as soon as the last Subsidy had been spent, should have

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'have again resorted unto you, I do assure you this Parliament
'had been called in *October* last.

'Now, if upon the Providence and Foresight of a growing
'Sore, you did Contribute unto her Majesty, much more now,
'should we do the same; seeing a Resolute company of *Spaniards*
'have Intrenched themselves in Her Majesties Kingdom of *Ire-*
'land, and more Supplies thither are daily Expected. It is time
'that we open our Coffers, that we may obviate in the begin-
'ing these few Forces of the *Spaniards*, lest growing to greater
'Forces, we cannot expell them with *Five Hundred*, which we
'may now do with *One Hundred* at present.

'If any that sit next the Door, be desirous to sit next
'the Chair, to give his Opinion, I will not only give him my
'Place, but thank him to take my Charge. [This was conceiv-
ed to be spoken of Sir *Edward Hobby*, who coming to sit near
the Chair, and none giving him place, sate next the Door] 'We
'that sit here, take your Favours out of Courtesy, not out of Duty.
'But to the purpose:

'The Queen hath occasion to use (as divers in this House do
'know) *Three Hundred Thousand Pounds* before *Easter*: How this
'shall be Raised and Gathered, That is the Question. For with-
'out this proportion of Charge, neither can the *Spaniards* in *Ire-*
'land be repelled, nor the War there maintain'd: Neither Her
'Majesties other Affairs be set on Foot: Neither Provision suffi-
'cient can be made for defence against Forreign Invasions.

'Admit with a less Charge we should now Expell him; Will
'any man be so simple to think he will give over the Enterprise,
'being of so great Consequence, and grow Desperate? I should
'think him a man but of a shallow Understanding, and less Po-
'licy. Surely, if we had been of that mind, when he had that
'great Overthrow of his Invincible Navy, *One thousand Five Hundred*
'*Eighty Eight*, we had been destinated unto Perdition. For, how ma-
'ny chargeable Enterprises, of Puissant & great Consequence hath
'he since made? The like, if his Forces in *Ireland* should now
'Fail, would he do again.

'And therefore, That we now do in Defence, if he should
'be expelled with a less Matter, would as well serve to make De-
'fence against his next Invasion of that Kingdom; as also, to
'Enrich her Majesty, to be ready to Furnish her Navy and Forces
'the speedier for her safety. Besides, if he bestows so vast a Trea-
'sure for the gaining of one poor Town, *Ostend*; what will he do
'to gain so strong and Famous a Kingdom as *Ireland*?

'I will, by the Leave of a VVorthy Person that sits by me, and
'knows these things better than I do, yeild a particular Account
'to you of the State it self. *First*, The last whole Subsidy after
'the Rate of *Four Shillings* Land, and *Eight Groats* Goods, came
'not to above *Eighty-Thousand Pounds*; the Subsidy of the Cler-
'gy, *Twenty-Thousand Pounds*; the Double Fifteens, *Sixty-Thou-*
'sand Pounds: In all, *One-Hundred and Sixty-Thousand Pounds*.

'Since my Lord of *Effex*'s Going into *Ireland*, (who now is
'with God) she hath spent *Three-Hundred-Thousand Pounds*; which

An. 1601.

Sir John Fortescue.

A notable
Saving of the
Great Turk.

‘ cometh unto *Three-Hundred and Twenty-Two-Thousand Pounds*:
 ‘ So the *Queen* is behind-hand *Three-Hundred-Thousand Pounds*.
 ‘ Thus we refer the Matter to your Judicial Consideration: We
 ‘ only shew you the present Estate of the *Queen*, and her Affairs;
 ‘ wishing no Man to look that we should give Advice, what is
 ‘ to be done: As though your Selves, who are the Wisdom
 ‘ of the Land, could not direct your Selves; neither upon the
 ‘ Reasons alledged, judge of the Necessity of the State.

‘ Mr. Comptroller, Sir John Fortescue, and Mr. Secretary Hay-
 ‘ bart, spake all to the same Effect; only Sir John Fortescue ad-
 ‘ ded this: That what pleased the *House*, in the Name of the
 ‘ Subjects to bestow, the same Her Majesty did, and ever would
 ‘ imploy to their Uses: So that Dying, it might be written on
 ‘ Her Tomb, as on the Emperor, *Quod occupatus vixit*. So
 ‘ that, She Dying, Lived still, imploying all to the Safety of
 ‘ Her Subjects.

‘ And, I beseech you, remember, That the Great Turk, when
 ‘ he Conquer’d *Constantinople*, found therein *Three-Hundred Mil-*
 ‘ lions of Gold. Which being told him: *If they* (said he) *had*
 ‘ *bestowed but Three Millions in defence of their City, I could ne-*
 ‘ *ver have gotten it.* From this Blindness I pray God Defend
 ‘ us, that we may not be backwards to give *Four Subsidies* to
 ‘ Her Majesty; for want whereof, in time, we may hap to lose that
 ‘ which cannot be Recovered or Defended with a *Hundred*.

So, after a few other Conferences and Speeches, *Pro & Con-*
tra, it was concluded, That the *House* should be Certified of
 their Proceedings, on *Monday*; and by General Consent, the
Three Pound Men were to be included: And so the *House*, about
 Six a Clock at Night, rose confusedly.

“ *Nota*, That Mr. Anthony Maynard, by the Consent of the
 “ whole *House* sat in the Chair, as Clerk, to Re-
 “ gister the Order of this Committee; and by Consent
 “ also, was Licensed to put on his Hat.

8. Sunday, November the 8th.

9. On Monday, November the 9th. A Bill for Suppressing of
 Maintenance.

Also, A Bill to suppress People from idle Shifting: The first
 time Read.

Also, A Bill for the Reformation of Abuses in the Making of
 Cloth.

A Bill for Ad-
 vance of Cu-
 stoms.

Mr. Townsend
 moves against
 the great
 Number of
 common Solli-
 citors.

Also, A Bill for the Benefit of Merchants, and Advancing of
 Her Majesties Customs, both Inward and Outward.

Also, A Bill to Restrain the Number of Common Solicitors,
 put in by Mr. Townsend of *Lincolns-Inn*, (the Collector of this
Journal) to which he spake as followeth.

‘ May it please you, Mr. Speaker,

‘ It was well said by a Worthy Member of this *House*, (Mr.
 ‘ Francis Bacon) That every Man is bound to help the Common-wealth
 the

43 Eliz.

' *the best he may*: Much more is every Man, in his own Particular bound, being a Member of this House, if he knows any dangerous Enormity towards the Common-Wealth; That he would not only open it, but if it may be, suppress it.

' We being all here within these Walls together, may be likened to a *Jury*, shut up in a Chamber: Every Man *There* upon his Oath, and every Man *Here* upon his Conscience; being the Grand *Jury-Men* of this Land, bound to deal both Plainly and Truly. Here-with (though a most unworthy, and least sufficient Member of this *House*) my Self being touched, I had rather adventure my Credit by Speaking, (though confusedly) knowing the great Inconvenience and Mischief attends this Kingdom by Silence, in so pleasing a Case, as I persuade myself, this Bill will be to every Man that hears it.

' To which, Mr. *Speaker*, because I may have Benefit of Speech, if occasion serves, at the second Reading thereof, I will not speak more at this present, than only touch the Tract of the Bill it self.

' The Honourable Person that in the *Upper-House*, in the Beginning of this *Parliament*, spake against the Lewd Abuses of Prowling Solicitors, and their great Multitude; who set Dissention between Man and Man, like a Snake cut in pieces, crawl together, and joine themselves again, to stir up even Spirits of Dissention: He, I say, advises us, that a Law might be made to suppress them.

' I have observed, that no Man this *Parliament*, ever profer'd to prefer any such Bill to this *House*; but sure I am, no Man spake to this Purpose. I have therefore, Mr. *Speaker*, presumed out of my young Experience, because I know part of their Abuses, and with that small Portion of Learning that I have, to draw a Bill; and here it is. The Title is thus, *An Act to Suppress the Multitude of Common Solicitors*. The Body of the Act disableth all Persons to Solicite in any Cause, other than their own. There is Excepted, and Fore-prized, Four several sorts; *Lawyers* and *Attornies*, in their own Courts where they be Sworn: *Servants in Livery*, and *Kinsmen within the Fourth Degree of Consanguinity*. And no Man within this Kingdom, but may find a sufficient Solicitor within these Four Degrees. And I humbly pray, The Bill, being short, may be Read, and Received.

A Bill concerning certain Abuses in the Exchequer, Committed; the Committee to meet on *Tuesday* in the Afternoon, in the *Exchequer-Chamber*.

A Bill against Transportation of Monies, was brought in: On which Mr. *Davis* made a long Speech; The Effect whereof was: That by Transportation of *Money* the Realm is Impoverished, for that Twenty Shillings *Englisb* is Twenty Three Shillings *Flemish*; and as much good Silver in the first, as the last, And so,

H h h

he

A Bill against
Transporting
of Coyn.

An. 1601.

Secretary Cecil touching the Subsidy.

Reports to the whole House, what was done at the Committee.

he said, *They gained Three Pence in every Pound*; and the like he said, was in Commodities.

Mr. Secretary Cecil spake, touching the Subsidy, as Followeth:

'VWhen it was the good Pleasure of the House, to give Order to the Committees to consider the common danger of the Realm; in which not only every Member of this House, but every Man in the Kingdom, is Interested: It liked the Committees, after their resolution to choose one amongst all, to give an Account of their Proceedings; and that is my self.

'I do know it were the safest way for a mans memory, to deliver the last Resolution, without any precedent Argument; for rare is the Assembly, in which there is not some variety of Opinions. I need not recite the Form of the Committee, by reason of so good Attendance, being little inferior to our Assembly at this present: yet if it be true, that, *Forma doth dare essentiam*, it will be somewhat necessary for me to deliver the manner of our Proceeding, and the Circumstance, rather than hazard the Interpretation of such a Resolution.

'The Day was *Saturday* last, the Place this House, the Time about four houres: And I am of Opinion, That if we had all agreed upon the manner, as we did speedily upon the matter, all had been dispatched in an hour. It seemed, by the ready Consent of the Committee, That they came not one to look on another, like Sheep, one to accompany another; but the Matter was Debated by some, and at last Consented unto by all.

'Our Contention bred Difference, our Difference cause of Argument, both how to ease the State, and make this Subsidy less burthenfome, which shall be recited.

'Some were of Opinion, that the *Three Pound* Men should be spared, because it was to be consider'd, they had but small portions, and they did give almost *Secundum sanguinem*. Others were of Opinion, that the *Four Pound* men should give double, and the rest upward should be higher Cessed. Others were of other Opinions.

'Again it was moved, Whether this Subsidy should go in the name of a Benevolence, or Contribution? Or whether in the Name of a Fourth Subsidy, but was said to be subject to great Mistaking, because it would be said to be a great Innovation.

'But at last, most Voices Resolved, It should have the old Name of a Subsidy, because *Subsidium* and *Auxilium* are all one. The most Voices Concluded, There should be no Exception of the *Three Pound* men, because according to their Rate, some were Assessed under value; besides, separation might breed Emulation, Suspicion of Partiality and Confusion.

'The Time was Resolved upon, and that in respect of Expedition, to be by the *First of February*, and the whole Realm, when each man comes into his Country, will be better satisfied, when they shall know we have spared no man, nor made no Distinction.

'It

43 Eliz.

'It vvas said, by a Member of this House, (Sir Francis Hastings) That he knew some poor People Pawn their Pots and Pans, to pay the Subsidy.

'It may be, you dwell vvhere you see and hear. I dwell where I hear and believe. And this I know, That neither Pots nor Pans, nor Dish nor Spoon, should be spared, when Danger is at our Elbowes. But he that spake this, in my Conscience spake not to hinder the Subsidy, or the greatness of our Guist, but to shew the Poverty of some Affailed, and by sparing others. But by no means, I would have the Three Pound men Exempted, because I would have the King of Spain know, how willing we are to seil all in Defence of Gods Religion, our Prince and Country. I have read, when Hannibal resolved to sack Rome, he dwelt in the Cities Adjoyning, and never feared or doubted of his Enterprize, until word was brought him, That the Maidens, Ladies, and VVidows of Rome, sold their Ear-rings, Jewels, and all their Necessaries, to maintain War against him.

'I do take my self in Duty bound, to acquaint this House with the Modesty of the Committee, at the Proposition; That when first this House never stuck to Commit, they never stuck in understanding the Reasons to grant it. And I do persuade my self, that the Bonus Genius of this House, did not wish a more Resolved Unity, than we had Unity in Resolution. And of this Great Committee, it may be said, *De Majoribus Principes Consultant, De minoribus omnes.*

'Thus, by your Commandments, I have undergone this Charge; and will be ready to do the like Duty, whensoever you shall command me.

Then, after Consultation of the great Occasions, it was put to the Question. *whether the double Tenths and Fifteens, should be Paid by the First of February, and the Subsidy by the last of February, viz. for this Fourth Subsidy, before the Third began: And that the First Payment of the First Three Subsidies, should be brought in by the Tenth of June viz. half a Subsidy? And all said, Teas; and not one, No.*

Then was a Motion made by Sir Robert Wroth, That this new Subsidy might be drawn in a Bill by it self, to which should be Annexed, A preamble of the great Necessity, the willingness of the Subject and that it might be no Precedent. But that could not be yeilded unto.

Then Mr. Speaker asked the House, *If they would appoint Committees to draw the Bill?* So they appointed the Queens Council, and all the Serjeants at Law of the House, and no more.

Mr. Francis Moore Moved, *That that which was done might be completely done, and the Subsidy gathered by Commission, and not by the old Roll; for Peradventure, some were dead; others fallen to Poverty, others Richer; and so ought to be enhaunced, &c.* And withal, he said, *The granting of the Subsidy, seemed to be the Alpha and Omega of this Parliament.*

Mr.

The Subsidy put to the Question, and voted, without any Opposition.

Sir Robert Wroth's Proposition rejected.

Mr. Francis Moores Motion.

An. 1601.

Mr. Wing-
feild's Moti-
on.Serjeant Har-
ris.

Mr. Bacon.

Sir Walter
Rawleigh.Secretary Ce-
cil.Sir Arthur
Gorge.

Mr. Wingfeild Moved the House, *That seeing the Subsidy was granted, and they yet had done nothing, It would please her Majesty not to Dissolve the Parliament until some Acts were passed.*

Mr. Serjeant Harris said, *That he that spake Intempestive, spake, Injocundè: And the Motion of the Gentleman that last spake, is not now to be Discussed. We are to speak touching the Subsidy.*

Mr. Francis Bacon, after the Repetition of the Sum of what was done Yesterday, *That the Three Pound men might not be excluded, he concludes it was Dulcis tractus pari Jugo. And therefore the Poor, as well as the Rich, not to be Exempted.*

Sir Walter Rawleigh said, 'I like not, That the Spaniards our Enemies should know of our Selling our Pots & Pans to pay Subsidies; well may you call it Policy, as an Honourable Person alleadged, but I am sure it Argues Poverty in the State. And for the Motion that was last made, *Dulcis tractus Pari Jugo*: Call you this *Par jugum*, when a poor man payes as much as a Rich? And peradventure his Estate is no better than it is set at, or but little better? When our Estates that are *Three or Four Pounds* in the Queens Book, it is not the Hundredth part of our VVealth; therefore it is neither *Dulcis* nor *Par*.

Mr. Secretary Cecil said, 'That now seeing one of the weightiest Matters, and Causes of Calling of the Parliament was agreed upon, he doubted not, but we should have a quick Parliament, and speedy Payment.

'But for that Gentleman that said on my right Hand (Mr. Francis Moore) *That the Subsidy was the Alpha and Omega of this Parliament*: I think he spake it not simply out of Humour, but rather upon Probability. For I can assure you, her Majesty is so Respective over you, touching her Laws, which she desireth may be perused and amended, That she meaneth not to Dissolve this Parliament until something be mended.

'For that I said, touching the Spaniards knowing of the sale of our Pots and Pans, which should be a matter of Policy, to which the Gentleman on my left hand, (Sir Walter Rawleigh) took exceptions: I say it's true; and yet I am mistaken. For I say it's good the Spaniards should know how willing we are to sell our Pots and Pans, and all we have, to keep him out: Yet I do not say it is good he should know we do sell them; that is, I would have him know our willingness to sell (though there be no need) but not of our Poverty of selling, or of any necessity we have to sell them, which I think none will do, neither shall need to do.

Then all the House cried *No, No*; as much as to say, no man did so

'Sir Arthur Gorge Moved, That it would please the House, that order might be taken that Justices of the Peace might be Assessed according to the Statute, *viz. at Twenty Pound Land*, where there be few Justices that are above *Eight or Ten Pound*, which Mr. Secretary Cecil Noted in his Tables.

Then

Then Serjeant Heale stood up, and made a Motion, saying;

Mr. Speaker,

I do marvel much, that the House will stand upon Granting of a Subsidy, or the Time of Payment, when all we have is Her Majesty's; and She may lawfully, at her Pleasure, take it from us: Yea, She hath as much Right to all our Lands and Goods, as to any Revenue of Her Crown.

At which the House Hummed, and Laughed, and Talked.

well, (quoth Serjeant Heale) all your Humming shall not put me out of Countenance.

So Mr. Speaker stood up, and said; *It is a great Disorder, that this should be used; for it is the Antient Use of this House, for every Man to be Silent when any one Speaketh; and he that is Speaking, should be suffer'd to deliver his Mind without Interruption.*

So the said Serjeant proceeded; and when he had spoken a little while, the House Hummed again; and he sat down. In his latter Speech he said, *He could prove his former Positions in the Time of Henry the Third, King John, King Stephen, &c. which was the Occasion of their Humming.*

Mr. Mountague, of the Middle-Temple, said; *There were no such Precedents: And if all the Preambles of the Subsidies were looked upon, he should find, that it was of Free-Gift. And although Her Majesty requireth this at our Hands, yet it is in us to Give, not in Her to Exact of Duty: And for the Precedents, there be none such. But touching a Tenth Fleece, and a Tenth Sheaf of Corn, that was granted to Edward the Third, at his Going to the Conquest of France; because all the Money then in the Land, to be Levied by way of Subsidy, would not be any wayes able to Raise that vast Sum he desired: So having these Tenths, he sold them to private Men; and so raised Money to himself, for his Enterprize.*

After this, the Speaker appointed the Committees for drawing of the Subsidy-Bill, all to hasten it; and so the House arose.

On Tuesday, November 10. The Bill was read for shortening of Michaelmas-Term: The Substance of the Bill is, *That whereas the Term begun the Ninth of October, it should begin the Twentry Third of the same Month.*

A Bill for avoiding of Trifling and Frivolous Suits, in Her Majesties Courts at Westminster, was read the first time. It was put in by the Queen's Attorney-General.

A Bill for to Restrain the Multitude of Common Solicitors, read *prima vice*.

A Bill for the Denization of certain Persons, was presented; and it was made in the manner of a Petition: The Beginning

43 Eliz.

Serj. Heale speaks to some purpose.

He is Hum'd and Laugh'd at.

The Speaker puts them in mind of the Orders of the House.

Heale proceeds. They Hum again.

Mr. Mountague shews him his Mistake.

10.

A Bill to shorten Michaelmas-Term

An. 1601.

A Bill against
Blasphemous
Swearing.

Mr. Martyn.

whereof is; *To the Queen's most Excellent Majesty.* The *Speaker* at the Reciting of the Bill, began thus; *This is an Humble Petition of, &c. wherein they humbly desire to be made Denizons, and made Inheritable, and of Ability to Sue and Implead, as other Natural-Born Subjects of this Realm are:* The first time of Reading.

A Bill against Blasphemous Swearing: It was put to the Question for the Commitment, and not one *No.* Appointed at the *Temple-Hall*, on *Saturday*, with the Bill against Drunkenness.

A Bill for Consolidating, and Uniting of certain small Churches in *Exeter*, into one, read.

One spake against this Bill, who was the Bishop's Servant of *Exeter*; and shewed how the Patron of one of the Churches, took a piece of the Church-Yard to make a Jakes.

Mr. *Martyn* of the *Temple*, answered him; 'Protesting he meant not to speak: but seeing the General Voice of the *House* seemed to be carryed away with the Bill, and himself Born in the Town, he could not but speak against such a Man, as he that last spake; who spake more for his Master's Benefit, than for *God's* Honour. He certified divers things, which he that spake first, untruly spake: And wished, that the Gentleman, (*Serjeant Heale*) that had Yesterday so much flattered his Prince, were now here, to do *God* and his Country good Service, by setting forward so good a Bill. Whereupon he prayed, it might be Committed, (which was done accordingly;) and the Committees to meet in the *Middle-Temple-Hall*.

The Person that Arrested Mr. *Cook's* Man, was brought in; who after a sharp Speech, delivered by Mr. *Speaker*, shewing that he had committed an heinous Offence, to Arrest any Member of the *House* his Servant; knowing that both their Persons, their Servants, Goods, and every thing they had, were Privileged during this Great Council, *How durst you presume to do it?*

To which the poor Old Man answered upon his Knees; *That he knew not that his Master was of the House; but, peradventure, the Bayliff did, (quoth he.) I do acknowledge, I have offended; and humbly crave Pardon: and I protest upon my Salvation, I would not have done it, had I known his Master had been Privileged.*

So the Serjeant of the *House* was commanded to take him away; and presently after, he was brought in again. To whom Mr. *Speaker* gave Council, *That himself should ever hereafter take Warning hereby; and that the House receiving his modest Excuse, did pardon his Offence:* And so, paying his Fees, he was Discharged. The Serjeant was commanded to lay wait for the Bayliff, but he could not be found.

A Bill to Restrain the Multitude of Idle People, which flock from all Parts of the Realm to *London*, and the Suburbs thereof, was read. To which Bill, Sir *George Moore* spake, and shewed the Unconscionableness of the Bill, that no Mechanical Person could Trade in *London*. And so it was Rejected, with-

out

out any one *I, I, I*, for the Commitment; but only Mr. *Fetyplace*, one of the Burgesses for *London*.

A Bill for the Benefit of Merchants, and Advancement of Her Majesty's Customes, (both Inward and Outward) was Read, and Committed.

On Wednesday, November the 11th. A Bill for Avoiding unnecessary Executions upon Judgments, put to the Question, and ordered to be Ingrossed.

A Bill for Explanation of an Act made 13 *Regina*, touching Leases of Benefices, and Ecclesiastical Livings with Cure.

A Bill to enable Sir *Edmond Markeham* to sell his Lands, being Tenant in Tail, as other Tenants in Tail may do; was read the first time.

A Bill for Reformation of Abuses in making of Cloth, read the first time.

A Bill for the Inhabitants of the Town of *Rappesdale*, in the County of *Lancaster*, was Committed.

A Bill put in by Mr. *Francis Moore*, Intituled, *An Act for Confirmation of Grants made to the Queen's Majesty, and of Her Highness's Grants to others*; read the first time.

He said, That forasmuch as it was dangerous to the Queen and State, that Purchases should be Annulled by Misprision, or the like; and lest the Queen should be Tenant in Tail, then all Sales made by her, should be void: Therefore, to avoid this Inconvenience, he had penned this Law, almost word for word, but altogether to the Sense of the Statute, made Anno, Hen. 8. cap. . which is even in manner of a Petition: And it being but short, I pray it may be Read, and Received.

An Act to Restraine Transportation of Money out of this Realm, and to Restraine certain Abuses in Exchanges. This Bill was brought in by Mr. *John Davis*, and read *prima vice*. Vide Novemb. 9.

A Bill for the Abbreviation of *Michaelmas-Term*. It was put to the Question, whether it should be Committed, or no? And the greater Voice were, *Yeas*. Yet the Burgesses of *London* were against it. And therefore, at naming of Committees, they were exempted; but some would have them in, and others out: And after many Speeches made, *Pro & Contra*, it was alledged by Sir *Edward Hobby*, That they that had given their Voice against the Body of the Bill, could not be Committees.

But at length, Mr. Secretary *Cecil* said, 'I am willing to speak, in two Respects; the One, touching the Bill it self; the Other, touching the Controversie in the House, about the Commitment.

'Touching the Bill, I dare not upon my own Judgment, be so venturous or bold, to Reject this Bill, unless first it might have a Commitment. For, the Wisdom of that Time, when it was first Instituted, was so apt to look into Imperfections, that doubtless, if any Inconvenience had been but espyed, they would straight have avoided it.

43 Eliz.

11.

A Bill to abbreviate *Michaelmas-Term*.

Burgesses of *London* oppose it.

A Dispute, Whether any of them should be of the Committee?

Secretary *Cecil* speaks to it.

An. 1661.

‘ Therefore, in my Opinion, it is not fit for us to look in-
to the Actions of former Ages, but upon mature and advised
Deliberation. I do therefore greatly commend the Wisdom
of this House, in Committing of this Bill, and others of the
like Nature and Consequence, before we Reject them.

‘ For the other Part, Though it be a Rule in the House, That
those against the Bill should be no Committees; yet in a Case of so
great Consequence, and so greatly touching the State of the City
of London, there is no Reason, but they may have their particular
Voices, as Committees, as well as any Member of this House:
Neither have we any Reason to Exclude them, more than any
other; especially they being Chosen for the most Principal
City of this Kingdom; which is the Chamber of Her Maje-
sty: whom we should the rather respect, for Her Majesties
sake; who doth, and will remember their Loyalty and Faith-
fulness, shewed unto Her in the late dangerous Action, (mean-
ing the Earl of Essex his Rising): For which, if ever Prince
had Cause of Thankfulness to Her Subjects, doubtless Her Ma-
jesty is to confess as much.

‘ In my Opinion therefore, we should do great Wrong, and
purchase them great Blame at their Hands that sent them hi-
ther in Trust, if in a Matter of this Consequence, and so par-
ticularly touching the State of this City, we should not admit
them as Committees.

Mr. Wiseman
replies.

Mr. Wiseman said, ‘ That by Committing of a Bill, the House
allowed of the Body thereof, though they disallowed of some
Imperfections in the same. And therefore, committed it to
some chosen Men in Trust, to Reform and Amend any thing
therein, which they found Imperfect.

‘ And it is presumed, That he that will give his No to the
Committing of a Bill, at the Commitment will be wholly a-
gainst the Bill. And therefore, the House allowing of this
Bill to be Committed, are, in my Opinion, to disallow any
that will be against the Body of the Bill, for being Commit-
tees.

Mr. Comptroller starts a-
nother Que-
stion.

Mr. Comptroller said, He was of Opinion, for the Reasons before-
alleged, That they ought to be Committees. But he moved ano-
ther Question; whether a Committee, speaking against a Bill at
the Commitment, may also Speak at the Ingrossing thereof, in the
House, and have his Free Voice.

Sir Edward
Hobby replies.

Sir Edward Hobby said, That may be resolved upon by Prece-
dents: And for my own Opinion, I think, That he that is against
the Body of the Bill, can be no Committee; and he that being a Com-
mittee, speaketh against a Bill, may also speak hereafter in the
House.

Mr. Fulke
Grevill's Opi-
nion.

Mr. Fulke Grevill said, A Committee was an Artificial Body,
and framed out of Us, who are the General Body: And therefore,
that which is spoken at the Committee, Evanescent, it is gone, when
the Body, which is the Commitment, is dissolved: And then every par-
ticular Committee is no more a Part of the Artificial Body, but of
Us

Us the General Body, when he hath his Free Voice, as though he had never spoken before.

Then the Speaker stood up and said, I will propound two Questions, The First, If when a man hath spoken against the Body of a Bill, he may be a Committee? The Second, If any Committee speak against a Bill at the Commitment, yet whether he may speak again, and have his free Voice?

Now (quoth he) I will propound the first Question: All that will have a man, that hath been against the Body of the Bill to be a Committee, let them shew their Opinions by saying Yea. And not one said Yea. All that will not, say No. And all said No. So he did for the second Question; And not one said No, but all Yea.

Then he put it to the Question, whether they of London, notwithstanding this Order, in respect this Commitment so greatly concerned the State, should be Committees. And the Yeas were greater than the Noes.

Then he put it to the Question, Whether the Two aforesaid Rules should be Entred for Orders of Record: And all said Yea.

On Thursday Novemb. 12. A Bill was Read, for Confirming of Letters Patents made by King Edward Six, to Sir Edward Seymour, Knight.

A Bill, for the Explanation of the Statutes, made 3, 4, 5, Edw. 6. against Buyers of Butter and Cheefe to sell again; and against Ingrossers and Forefallers.

A Bill, against the unlawful Hunting and Stealing of Deer in the Night-time, was Read the first time.

A Bill, for the Redressing of certain inconveniencies in a Stat. 21 Hen. 8. Cap. 13. Intituled, An Act against Plurality of Benefices, for taking of Farmes by Spiritual men, and for Residence. This Bill was drawn by Robert Eyre of Lincolns-Inn. That the Proviso of that Statute might be Repealed.

A Bill for avoiding Frivolous Sutes in Court at westminster.

To which Bill, one Lashbrook an Attorney spake, and shewed the Inconvenience of Scriveners being Attornies, and practising in their Names.

The Bill against Fraudulent Administration of Intestates Goods, after Ingrossment Read and passed.

The Bill of Writs of Error also Read, after Ingrossment Passed.

Whilst there were divers Disputes of this Bill; Mr. Fleming the Queen's Solicitor took the Bill to look a word in it; after he had done and laid it on the Board, One Mr. Brown, Clerk, Comptroller to the Queens Household, stood up, and said, Mr. Speaker, You should, after a Bill is ingrossed, hold it in your Hand, and let no Man look into it; which was confessed by all. And so the Speaker took it.

The House was moved, to send these two Bills to the Lords, and they chose Mr. Comptroller, and he, accompanied with divers others, went with them, and returned within half an hour.

43 Eliz.

Speaker puts two Questions, about the former Controversy.

A Rule in the House about Bills.

An. 1601.

Denization of
certain Per-
sons.

The Bill for the Denization of certain Persons, viz. *Will. Millet, Ann Pope, George Chandlor, Peter Eaton, Nicholas Eaton, Nicholas Taylor*, and others, was Read the second time, and put to the Question to be Ingrossed. And all said *Yea*, and there was not one *No*, and never Committed.

The Bill for Erecting of a Haven or Key, on the North-part of *Devon*, on the River of *Severn*.

The Officer that Arrested *Mr. Cook's* man, was brought to the Bar; and upon his Submission, after a sharp Exhortation, was dismissed, paying the Serjeant's Fees.

A Bill for Confirmation of Grants made to the Queens Majesty, and of Letters Patents made by Her Majesty to others, Read *Secunda Vice*, and then it was Committed.

On *Friday Novemb. 13.* The Bill against the Covetousness of Butchers, for Buying, and Ingrossing of Lambskins, out of Markets and Fairs.

And a Bill against Pedlars, Petty-Chapmen and Hawkers.

And a Bill for Cloath-workers.

And a Bill against wilfull Absence from Church on *Sundays*; which Bill, *Sir Rob. Wroth* preferred. The Effect whereof is, for the better gathering of *One shilling* for every Absence, which is given by the *stat. of 1 Regina*, and the Statute is limited to indure the Queens Reign, (which was greatly whispered at, and Observed in the House).

The Bill for matters concerning Assurance, used amongst Merchants, being moved for a Commitment, and put to the Question, there was not one *No*.

Sir Hugh Beeston stood up in the lower end of the House, and said;

'We that be here, cannot hear you that are above. I would 'it would please them that speak there, to speak Louder. Also, 'I am to Certify, that I am here for a Town, but not in mine 'own Countrey, *Denbysbire*, or for any part thereof; but if I 'should not speak something in behalf of my Country, I dare 'not go thither again.

'Therefore I heartily beseech you, *Mr. Speaker*, that the House 'may be Resolved what course is taken, according to the Order 'of the House, for the Election of a Knight and Burgeß; for 'they can not but find themselves greatly grieved for want of 'the Election; but what is done I know not.

Mr. Secretary Cecil said, 'Because I am the Reporter of the 'Election, as also of the Proceeding, I will now also Certify 'you, that there was Order taken for the sending out of a new 'Warrant for the Election; but what is done therein, I also 'know not.

Mr. Speaker said, 'I gave Warrant to the Clerk of the Crown, 'according to the Antient Form, to send forth a new Writ; 'who answered me, That the Lord *Keeper* desired to have the 'Warrant directed to him to have a new Writ, and for his 'Warrant for Sealing thereof. So that nothing is done there-
in,

A Bill against
Hawkers, &c.*Sir Hugh Bee-*
*ston.*A Motion a-
bout a new
Writ.Secretary *Cecil*
reports.*Mr. Speaker*
gives Ac-
count of it.

‘in, until the Pleasure of the House be known.

Sir Edward Hobby said, ‘There is no Court that doth not observe its Rights, and follow its Privileges; Much more this High Court of Parliament, being the Greatest, and Commander of all other Courts, doth and ought to Observe the same most strictly. And all the Precedents that I have seen, touching this Point, have ever gon to the Clerk of the Crown, and no other; And therefore, I take it, that that Course, ought inviolably to be Observed.

Sir George Moore said, ‘I agree with the Gentleman that last spake, That Precedents ought to be Observed, yet to be altered upon urgent Occasions, or by necessity of time. Knowing this, I take it as my duty to Inform you, if any alteration hath been, it proceeded from imperfection of the Speaker. It was well Observed by an ancient Member of this House, who is now with God, that no Conference with the Lords touching a Subsidy, should be had; yet that Rule hath been altered in late Parliaments, by reason of special Causes: So I do think it would be more Honour to this House to direct a Warrant to the Lord-Keeper, than to an Inferiour Minister of the Chancery.

Sir Francis Hastings said, ‘By the Leave of your Honourable Favours, I will shew you, that I my self was yesterday with the Lord Keeper, and how honourably I heard him speak of this House. That he desireth no more, than to shew the Love and Duty he beareth to this House, as also that himself would be our immediate Officer, and would be willing and glad to receive a Warrant from us, so it might be directed to him for his Discharge, be it in what Terms soever we pleased. And he said, he doubted not, but if this Honourable House knew so much, they would rather choose him, than any other Minister. Thus much I thought fit to certify this House of, which being spoken in private unto me, I now deliver in publick unto you: For my own Advice, I think nothing can be more Honourable to this House, than to have a person of so great Estate, to whom we may direct our Warrant as our Minister.

Mr. Francis Bacon said, ‘It is far more Honourable for this House, in my Opinion, when our Warrant shall move the Principal Member of Justice, than when it shall command a base, petty, or inferiour Servant to the Clerk of the Crown, or the Clerk of the Petty-Bag. It will be said our Warrant *emanat improvide*, when we shall direct our Warrant to these base Officers, when we may move the great Seal of England by it, even as soon as either Petty-Bag or Petty Officer.’

Mr. Speaker said, ‘I was ever Zealous and Jealous of the Privileges and Orders of this House. I was commanded by you to send forth a Warrant for the Election of a Knight and Burgess, I found a Resolution and judgment Agreed and Resolved, That during the time of the Sitting of this House, the Speaker for any new Election, is to make a Warrant, directed

43 Eliz.

Sir Edward
Hobby Speaks
to it.

Sir George
Moore, &c.

Sir Francis
Hastings.

Mr. Bacon.

Mr. Speaker.

‘to

An. 1601.

Secretary Cecil makes a Motion to determine the Controversy about Issuing the Warrants.

to the Clerk of the Crown; so that in my doing thereof, I hope I have done rightly.

Mr. Secretary Cecil said, 'I shall move unto you a Conclusion, which will end this Controversy, and in the mean time be a Saving unto all persons: I mean not to second my former Error, for which I was excepted to, That is, that Mr. Speaker, or any Member of this House should attend my Lord Keeper, but that four of this House, might be Assigned to go unto my Lord Keeper, to know the cause of the Stay, as also his Lordship's request unto this House. And that other six may be Assigned to call before them the Clerk of the Crown, the Clerk of the Petty-bag, and the Clerk of this House, with their Precedents and Books, to see to whom this Warrant hath in former times been directed; and whether the Privileges in former times have daunced a Pavan too and Fro, and according to the time, have been altered. This to be done this afternoon, and to certify the House to morrow. And then, We to make a Determinate Resolution.

To which all said, It was a good Motion.

Mr. Holtcroft a Knight for *Cheshire*, said, *May it please you, Mr. Speaker, the County-day for Denbysire is on Thursday next; and therefore, there had need be speed made, or else there can be no Election this Parliament.*

Mr. Speaker said, *wil't please you to name the six Committees? So the House Named, Sir Edward Hobby, Serjeant Harris, Sir Francis Hastings and three others.*

Mr. Speaker also said, *wil't please you to Nominate the four to go to the Lord Keeper? So the House Named Mr. Secretary Hubbard, Sir Edward Stafford, Sir Edward Stanhop, and Mr. Fulk Grevil.*

14

On Saturday Novemb. 14. The Bill for the Confirmation of the Sale of Lands, made by *Lewes Lord Mordant* Deceased.

The Bill for Amending the Statute made 8 *Regina*, concerning the making of Hats.

A Bill to enable *Sir Edward Markham* Knight, to sell Lands, was Read and committed: The Committee to meet on *Friday* in the afternoon, in the Court of Wards.

The Bill for the Repealing of certain Statutes, for the Reforming of certain Abuses in Cloathing, in the County of *Somerset*.

Mr. Johnson informs that he is Subpoena'd.

Mr. Johnson said, *Mr. Speaker, I being a Member of this House, I thought it my Duty to Inform you, That my self and divers others are served with Subpoenas. I do not this, either that I am loath to Answer, or desire to delay Justice, but to Inform the House thereof; lest Peradventure it might be a Precedent, or some prejudice to the Priviledge of this House. Here is one, which is now delivered into my Hand. The House Cryed, Read it. So the Clerk Read it.*

Edvarado

Edvardo Mountague & Jacobo Harrington, &c. & indorsatur Stephanus Riddlefden fequitur hoc.

Another was read, *Michaëli Hicks, & Thome Lowe, in Cancellaria.*

Another, *Henrico Jackman, & Jeronimo Horsey, in Scaccaria, ad sectam Thome Cornwallis Armigeri, per Billam Anglicanam.*

Another, *Michaëli Sames, & Riccardo Sames, in Banco Regina, ad Testificandum inter Reginam & Johannem Stray.*

After the Reading of which, he certified the House thus much ; *That the Informer came to his Lodging this Morning, as he was coming out of the Doors, and asked for him ; he told him, He was the Man: Then (quoth the Informer) the Queen Greets you well. what's this, (quoth I?) A Subpœna, (quoth the Informer) and I charge you to appear upon it, according to the Contents. Then I told him, I was of this House, and could not Attend: He answered me again ; There it is, I care not ; look you to it at your Peril.*

Mr. David waterhouse stood up, and shewed, *That the Subpœna came out of his Office ; and further shewed The Necessity of Obeying it : For that a Cause for want of a witness, might be lost. And therefore, if the Hearing be appointed at a Day certain, the Client might peradventure be undone, if he should not have this Subpœna ad Testificandum, in due time, both served and appeared unto.*

Sir Edward Hobby alledged divers Precedents in this Point ; as the 10th. of February, 27 Regina ; *Mr. Kerle served one Roger Stepney with a Subpœna, into the Star-Chamber ; for which he was adjudged to the Serjeant at Arms Keeping, for Six Dayes, and to pay Five Marks Charges. And the 25th. of March, 27 Regina, Mr. Crook served a Member of this House with a Subpœna, into the Chancery ; and for so doing, was adjudged to give a Copy of the Bill, and Twenty Shillings for Charges ; and was committed to the Serjeant's Keeping.*

Mr. Wiseman said ; *' That notwithstanding the Allegation and Excuse of the Gentleman, that spake in Favour of the Subpœna ad Testificandum, I think it deserveth no more Favour than the other: For if the Necessity of the Cause were such, that he must needs be served, and spared out of this House, the Party ought to ask Leave of the House, or at least of the Speaker ; or intreat him to relate the same to the House.*

Sir George Moore said ; *' I think, as the Gentleman that last spake ; for the like Subpœna being brought the Last Parliament, it grew a Question, whether it was an Impeachment to the Privileges of the House. And after some Dispute, an Antient Member of this House shewed divers Precedents, how that the Minds of the Members of this House ought to be freed, as well as their Bodies. Whereupon two Members of this House were sent, to require the Lord-Keeper to Reverse that Subpœna.*

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David Waterhouse shews Reasons for the Allowing it.

Sir Edward Hobby shews Precedents against it.

Seconded by Mr. Wiseman against it.

Sir George Moore of the same Opinion.

An. 1601.

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Sir Francis  
Hastings's Re-  
port.Sir Edward  
Hobby's Re-  
port.

' He also spake of a *Quo Warranto*, for the Liberties of the  
' *Black-Fryars*, with-held.

Then it grew to a Question, *whether a Burges of the Parlia-  
ment may be served with a Subpœna, ad Testificandum*: and con-  
cluded, *He could not*.

So after this Dispute, it was agreed, That the *Serjeant* should  
be sent to Arrest all those to appear, that had procured the  
*Subpœna* afore-said, to answer their Contempts with all  
speed.

Sir *Francis Hastings* stood up, and made a Relation of the  
Proceedings, which he, with the other Committees, according  
to the Commandment of the *House* the Day before, had  
made.

He said; ' We have called before us the *Clerk of the Crown*,  
' the *Clerk of the Petty-Bagg*, and Our *Clerk of the Parliament*.  
' The *Clerk of the Crown* shewed unto us five Warrants, and one  
' Order, all in one Course, and one Form, in 27 *Regina*. Three  
' of the Warrants were directed to the *Clerk of the Crown*, Two  
' without Directions: & he shewed unto us Two Writs, without  
' Warrants. Then we called the *Clerk of the Petty-Bagg*, who  
' would shew us no Warrants, but only a Record of a Writ in  
' his Roll, 39 *Regina*: Only, he said, (but we heard him not)  
' That Warrants had been granted to the *Clerk of the Petty-Bagg*.  
' The *Clerk of the Parliament* shewed unto us Two Precedents;  
' one of the *Fifth*, and the other of *Thirteenth Regina*; both  
' without Direction; but with these, or to the like Effect, as  
' I take it: *It is required, such and such a Thing be done*, &c.

Sir *Edward Hobby* said; ' Because the Truth hereof might be  
' made more plain, and that it pleased you to command my  
' unworthy Self, to attend Yesterdayes Service; I will, under  
' the Favour of the Gentleman that last spake, make a Repeti-  
' on, *ab Origine*, a little longer than he did, for your Satisfac-  
' tions of this *House*, and our Pains.

' It pleased you, to depute Six for this Service: Five atten-  
' ded the *Serjeant at Law*, (Mr. *Serjeant Harris*) of whose Fur-  
' therance we best hoped, deceived both your, and our Expe-  
' ctations. The *Clerk of the Crown*, the *Clerk of the Petty-Bagg*,  
' and the *Clerk of the Parliament*, attended us. The *Clerk of the*  
' *Petty-Bagg*, delivered unto us a fair Record, containing a Writ  
' sent out *Sedente Parlamento*; for so are the Words: It was  
' for the Knights in *Yorkshire*, and *Lancashire*, &c. This was all  
' he could shew: Only, he said, *An old Officer would be sworn*;  
' There were more, but lost by Mr. *Garth's* Decease.

' The *Clerk of the Crown* dealt with us two wayes. The *First*,  
' By way of Experimented Officers: The *Second*, By way of  
' Precedent. For the *First*, One *Steven Browne* was brought be-  
' fore Us; who had been an Officer in the *Crown-Office*, these  
' *Thirty-Six* Years: And being asked, *If he knew how Warrants*  
' *were directed*? He answer'd, *That in the Time of the Lord-Keep-  
' er Bacon, when he was Speaker of this House, they were dire-  
' cted to the Clerk of the Crown*. Being further asked, *If they*  
' were

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'were ever impugned? He answer'd, *No.* Being asked, *where these Warrants were kept?* He answered, *On the Labels in the House.* The said Clerk shewed us Five Precedents, and One Order: The rest were lost, by Mr. *watson's* Death; as the other Precedents were, by the Death of Mr. *Garth.*

'The Clerk of the Parliament produced Warrants indefinite, of 13 *Regina*, when Sir *Christopher Wray*, Knight, was Speaker: As also, an Order dated the Eighteenth Day of March, 1580. *die Sabbati*; That a Warrant should be directed to the Clerk of the Crown, to Choose a New Burgeſs for *Norwich*, instead of one *Beamont*: The Words whereof were; *It is required by the Knights, Citizens, Burgeſſes, and Barons, &c.* And also, another Order, dated *die Sabbati*, 18 March, Anno 1580. In these Words; *It is further Agreed upon, and Resolved by this House, That during the Time of the Sitting of this Court, there do not at any Time, any Writ go out, for the Choosing or Returning of any Knight, Citizen, Burgeſs, or Baron, without the Warrant of this House, first directed for the same, to the Clerk of the Crown; according to the Antient Jurisdiction and Authority of this House, in that behalf accustomed.* And another Warrant subscribed; *Henry Gates, William Fleetwood*; who were Committees in Examining of a Cause, touching one *Henry Beremaker*, and *Anthony Wilde*. The Effect whereof was; *That for as much as they were Arrested into the King's-Bench, whereas we find them Privileged, as Members of this House; A Warrant was directed to the Clerk of the Crown, for making Writs of Privilege, as afore-said. Dated from Westminster, the Sixth Day of December, 1586.*

'Therefore, in my own Opinion, and according to these Precedents, I think, the Warrant ought to be directed to the Clerk of the Crown.

His Opinion.

Sir *George Moore* stood up, and shewed a Precedent, Dated on Friday, the Second Day of March, 35 *Regina*: 'Where a New Writ was to be awarded out, concerning one Mr. *Fitz Herbert*; and a Writ of Privilege to come from the Chancery: And the Speaker made a Warrant to the Lord-Keeper, to make a New Writ, in the like Case; both touching *Southwark*, and *Melcombe Re*. So, I think, the Warrant ought to be directed to the Lord-Keeper.

Sir George Moore of the other Opinion.

Mr. *Tate* of the Middle-Temple, shewed; 'That *Ratio Legis*, was *Animus Legis*: And he that presents a Precedent without a Reason, presents a Soul without a Body. There is a Difference of Writs: There be *Brevia ex gratia Speciali*, and *Brevia Curatoria*. The Writs which we speak of, are *Brevia Curatoria*: And therefore, when the Warrant hath gone from the Speaker to the Clerk, it hath caused the Writs to be Sealed of course, by the Lord-Keeper, &c.

Mr. Tate's Opinion.

Mr. Secretary *Harbert* shewed, 'How that He, with the other Three, by their Commandments, had been with the Lord-Keeper; whom we found most Honourably to Entertain both

Secretary Harbert reports from the Lord-Keeper.



AN. 1601.

'me, and the rest: and that his Lordship did greatly respect the Majesty and Gravity of this House; and said, He would be loth to derogate any thing from Either: Notwithstanding, he hoped and prayed, That if any former Precedents had improvidently gone from this House, or contrary to the most Antient Usage, that we would now Settle our Resolutions, and Establish and Decree that, which might be a sufficient warrant unto him, to put in Execution our Commandments; and also increase the Majesty and Honour of this House: Which he most heartily wished, might ever continue. And for my part, I can assure you, we cannot wish him to be more Honourable, or more Agreeable to this House, than we found him.

Mr. Doyley.

Mr. Doyley of *Lincoln's-Inn*, said: 'Mr. Speaker, As I take it, there is a Precedent this Parliament, which will decide this Question. For there is an Honourable Person in this House, being Chosen with my self, Burgesses for *wallingford*, and also Knight of the Shire, chose to be Knight: And a Warrant went from You, Mr. Speaker, directed to the Clerk of the Crown, for Election of a New Burgesses; who is Chosen, and Sworn; and is now a Member of this House: Mr. Thomas For-tescue, by Name.

Mr. Fleming.

Mr. Fleming, the Queen's Solicitor, said: 'The Clerk of the Crown is our Immediate Officer; He is to be Attendant between the Two Doors of the Upper-house, and the Lower-house: When any Warrant-General is required, he is to Subscribe it, to Certifie it, &c. He is to convey our Minds and Messages to the Upper-house; yea, this Warrant is to be directed unto him.—Then all the House cryed, to have it put to the Question.

The House calls to put it to the Question.

The Speaker divides into Three Questions or Parts.

The House Murmurs.

Then the Speaker stood up, and said: *The Question must stand on Three Parts: First, If the warrant shall be directed to the Clerk of the Crown? Secondly, If to the Lord-Keeper? Thirdly, If without any Direction?*

The House, after this Speech, was in a great Murmur, and very Loud.

Then stood up one, and said; *Mr. Speaker, Let the First Question stand, and then all will be at an end.*

Then said the Speaker, *Shall the First Question stand? And all said, Yea.*

Then he said, *All that will have the warrant directed to the Clerk of the Crown, say, Yea: And all that will not, cry, No.*

And the Yeas got it a little.

The Question determined.

Then he asked, *If they would have this Order entered of Record?*

And all cryed, *Yea, Yea.*

15.

*Sunday, Novemb. 15.*

16.

On Monday, Novemb. 16. A Bill for the Enabling of Edward Moluneux Esquire, to sell Lands, for Payment of his Debts.

A Bill for the Strengthening of Her Majesty's Forces, in the North-

North-Parts of the Realm; and especially, for the County of Cumberland.

A Bill for the Confirmation of the Charters of King Edward the Sixth, made for the Hospitals of St. Bartholomew's-Bridewel, and St. Thomas in London.

A Bill for the Putting-down, and Abolishing of certain Idle Courts, kept every Three Weeks by Arch-Deacons, and their Officials, and Commissaries, and Registers.

Mr. Henry Doyley of Lincolns-Inn, made a Motion, and said;

Mr. Speaker,

*I think my self bound in Conscience, to certifie you of an Infamous Libel that is Printed, and Spread abroad, since the Beginning of this Parliament: Saving your Prefence, Mr. Speaker, It is called, The Assembly of Fools. I desire the Printer that Printed it, may be sent for: He dwells right over Guild-Hall-Gate.*

The House wondred much at this Motion, and great Murmuring there was. At last, the Speaker asked him, *where the Book was? and, where he saw it?* He answer'd, *In the Hands of one Mr. Henry Davies his Clerk, of Lincolns-Inn; but the Clerk's Name he knew not.*

The Serjeant, upon Consultation, was sent for Mr. Davies and his Man, into the Hall. After a while, they came up; and notice being given thereof, the Man was only sent for into the House; who being asked by the Speaker, What was his Name? He said, It was John Baker. Being asked, Of whom he had the aforesaid Book? He said, Of Jeremy Gouge, of Clif-fords-Inn. Being asked, How long he had had it? He answered, Three or Four Dayes. Being asked, If he knew it to be a Libellous or Seditious Book? He answered, That he never knew any such Matter in it. Being asked, Where the Book was? He answered, At his Master's-Chamber.

Then the Serjeant was commanded to take him forth, and to command one of his Men to go with him to Lincolns-Inn, to fetch the Book. Then the Speaker asked, *If they would have his Master in?*

But Mr. Doyley stood up, and said; *Mr. Davies was a very honest Gentleman, and shewed him the Book first, and wished him to complain to this House thereof; and he found great Fault with it: Therefore, he wished that Mr. Davies might be staid, until the Book was brought; and then, if they pleased, to send for him into the House, they might.* And so he was staid.

In the mean time, Mr. Davy's Man went to his Chamber for the Book; which, after it was brought, and well scanned by the Privy-Council, it was found to be a meer Toy, and an Old Book, Entituled, *The Second Part of Jack of Dover: A Thing both Stale and Foolish.* For which, Mr. Doyley was well Laughed at; and thereby, his Credit much impeached, in the Opinion of the House.

Whereupon, Mr. Speaker asked, *If they would have Mr. Davies, and his Man called in?* And all cryed, *No, No.* Then, *If they should be Discharged?* And all cryed, *Tea, Tea.*

M m m

A

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Mr. Doyley complains of a Libel, called, *The Assembly of Fools.*

The Libel scanned, and found to be an old foolish Toy, called, *Jack of Dover;* for which the Informer was Laugh'd at.

An. 1601.

An Act against Pluralities of Benefices.

Dr. Dunn opposes it.

Dr. Crompton seconds him.

Sir George Moore for the Bill.

Mr. Lock seconds him.

Dr. James against it.

A Bill for Reformation of Abuses in Buying and Selling of Spices, and other Merchandize.

A Bill for Redress of certain Inconveniencies, in the Statute of 21 Hen. 8. Cap. 13. Entituled, *An Act against Pluralities of Benefices, for taking of Farms by Spiritual Men, and for Residence*; was Read *Secunda Vice*.

Dr. Dunn spake against this Bill, and said; *That it was no Reason, that Men of Unequal Desert, should be Equally Beneficed, or Equallized with the Best.*

Dr. Crompton, amongst many other Speeches, wished, 'That Plurality of Offices might be taken from the *Layity*; and then Pluralities of Benefices from the *Clergy*. Also, in former Ages, (*he said*) Impropropriations were given to the Spirituality; and then, no Pluralities allowed: As also, Spiritual Men bound by Ecclesiastical Canons, and their own Vow, from Marriage; so that, they might Live with far less Charge, than now they do: But having taken from them Impropropriations, they cannot keep that Hospitality that is required. And next, Marriage being Tolerated amongst them, they Lived at greater Charge, both of Wife and Children: One Benefice of small Cure, sufficeth not.

Sir George Moore said, 'He thought the Bill most fit to be Committed; it being, in the General Scope, a Good Law, and tending to a Good and Religious End: But, such is the Iniquity of this Age, that for want of a Good Law of this Nature, many Souls do not only Languish, but Perish Everlastingly, for want of Spiritual Food. I think, therefore, though there be some Imperfections in the Bill, yet the Body and Parts of it may be Amended, to every ones Satisfaction.

Mr. Lock said; 'Mr. Speaker, I think bare Silence is not an Exoneration of a Man's Conscience. The Similitude of Offices and Benefices, made by the *Doctor*, doth not hold, under Favour. For, *Non est incipiendum cum Laicis, sed incipiendum a domo Dei*. Therefore, if They begin first, we shall follow, in avoiding of Pluralities.

Dr. James said; 'That it had been said, *That Pluralities were the Cause of bringing in Corruption into the Church*: But for that, under Favour, (*said he*) I think the contrary; because Corruption is commonly where Poverty is. But if Competent Living be given to the Minister, I see no Reason why Just Men should judge that to be Corruption.

Secondly, It was said, *That it would be a Means, that Preaching would be more frequent*. For that I answer, That if Hope of Competent Living be taken away, it will be a means to make the best Wits refuse the Study of Divinity. And therefore, an *Historian* said well, *Sublatis premiis corrumpunt Artes*.

Consider besides, That in England, there are not above Eight Thousand, Eight Hundred, and odd Parish-Churches; Six Hundred of which do but afford Competent Living for a Minister. What then shall become of the Multitude of our Learned



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'ned Men? They have no other Preferments, unless it be to  
'get some Deanary, Prebendary, or such like; which is no  
'easie matter to do, they being so few; especially in this catch-  
'ing Age.

'To give the best Scholar, but as great a Proportion as the  
'Meanest Artizan; or to give all alike, there is no Equality:  
'For, *Inequalibus equalia dare absurdum*. And this will breed  
'Poverty in the greatest Learned, which is the Mother of Con-  
'tempt: A Thing both Dangerous, and Odious unto Divini-  
'ty. This must needs make Preachers preach *placentia*; which  
'is a Thing abhorred, even of God Himself. A Preacher, which  
'is no Ordinary Person, ought to have an Extraordinary Re-  
'ward: For the Canon saith, He must be *Ad minimum Arti-  
'um Magister, aut Publicus, aut idoneus verbi Divini Conciona-  
'tor*.

Mr. David Walterhouse said; 'Mr. Speaker, Because, my self  
'am an Officer, I mean only to speak to the Doctor's Simili-  
'tude of Pluralities of Offices. By the Common-Law, an Offi-  
'cer shall forfeit his Office for Non-Attendance: So for a Be-  
'nefice, the Incumbent shall also forfeit. But after, the Statute  
'came, which made this Toleration upon Eighty Dayes Ab-  
'sence. So that now, if we set this Statute at liberty again,  
'this shall be no Innovation in us, but a Renovation of the Com-  
'mon-Law. I will end, only with this Caution to the House,  
'That commonly, the most Ignorant Divines of this Land, are  
'double Beneficed.

Mr. Walter-  
house for the  
Bill.

Serjeant Harries said; 'We seem to Defend the Privileges  
'and Customs of the House: But if we proceed to determine  
'of this Bill, Mr. Speaker, we shall not only infringe a Custom,  
'which we have ever observed, viz. *To meddle with no Matter,*  
'which toucheth Her Majesty's Prerogative; but also procure  
'Her great Displeasure. Admit we should determine this Mat-  
'ter, yet Her Majesty may grant Toleration, *Non Obstante*.  
'And, Mr. Speaker, the Last Parliament may be a Warning un-  
'to us, when the like Bill was by us Preferred; and the same  
'not only Rejected, but also, Her Majesty commanded the  
'Lord-Keeper to tell us, *That She hoped hereafter, we would not  
'meddle in Cases of this Nature, so nearly touching Her Preroga-  
'tive*.

Serj. Harries  
gives the  
House a Cau-  
tion, not to  
meddle in it.

Mr. Martin said; 'I agree with him, who said, *Learning*  
'should have her Reward: But I say more, *Our Souls should have*  
'their Spiritual Food. And I do wish, that Divines may have  
'Promotion, not only with good Convenience, but also with  
'good Abundance.

Mr. Martin.

'Though I be Zealous, yet I hope to Refrain and Refrain  
'my self from that Heat, which the Heat of my Zeal, and  
'Love of my Country, drave me into very lately; for which, I  
'do not only acknowledge my self Guilty in your Censures; but  
'also crave Pardon of every particular Member of this House,  
'that heard me: But most especially, of him I offended.—So  
he spake to the Bill. Vide, *His Words spoken in Heat to the Bill  
of Exeter, Novemb. 10.*

M m m 2

After

An. 1601.

An old Doctor speaks so Low, and so Long, the House Hawk and Spit, to make him end.

Sir Francis Hastings dislikes their Noise, and moves against it.

He speaks to the Bill.

After him, an Old Doctor of the Civil-Law spake; but because he spake too Long, and too Low, the House Hawk and Spit, to make him make an End. Which Speech finished,

Sir Francis Hastings stood up, and said; 'My Masters, I utterly dislike this strange kind of Course, in the House. It is the Antient Usage, that every Man here should speak his Conscience; and that both Freely, and with Attention: Yea, though he speaks never so Absurdly. I beseech you therefore, that this Way may be amended, and this Troubling of any Man in his Speech, no more used.

'But to the Matter: Mr. Speaker, I protest, that which I shall Speak, I will Utter unto you All, out of the Conscience of a Christian, Loyalty of a Subject, and Heart of an English-Man. I know, that *Distributio Parochiarum est ex Jure Humano non Divino*: But he that said so, must give me Leave to tell him, That *Distributio verbi Divini est ex Jure Divino & Humano*. If then by the Distributing and Severing of Benefices to divers Learned Men, the word may be the better Distributed, and Preached, (as God be thanked, it hath been these Forty Three Years, under Her Majesty's happy Government; the Period of whose Dayes, I beseech the Almighty, may be Prolonged) I see no reason, why we should doubt of the Goodness of this Bill, or make any question of the Committing thereof.

Mr. Owen.

Mr. Roger Owen said, (after particular Answers to divers particular Objections, made by the Doctors) 'That a Statute was but *Privato Communis Juris*; and this Act will be made no Innovation, because it Repeals only the *Proviso*, and not the Body. And whereas it was said by a Doctor, That *Honos alit Artes*, (and much more to that Purpose:) And, If you take away the Honour and Reward, then you take away the Study it self.

'For Answer thereunto, I say, under Favour, Mr. Speaker, This Statute takes away no Benefices from the Clergy; but only better orders the Distribution of Benefices amongst the Clergy. For that another Doctor, alledged a Canon confirmed under the Great Seal of England: I say, under Favour, That They of the Clergy, not We of the Laity, are bound thereby; for they are as they were by-Laws unto Them, but not unto Us.

The Bill Committed.

Then the Speaker stood up, and put it to the Question for Commitment; and it was Committed.

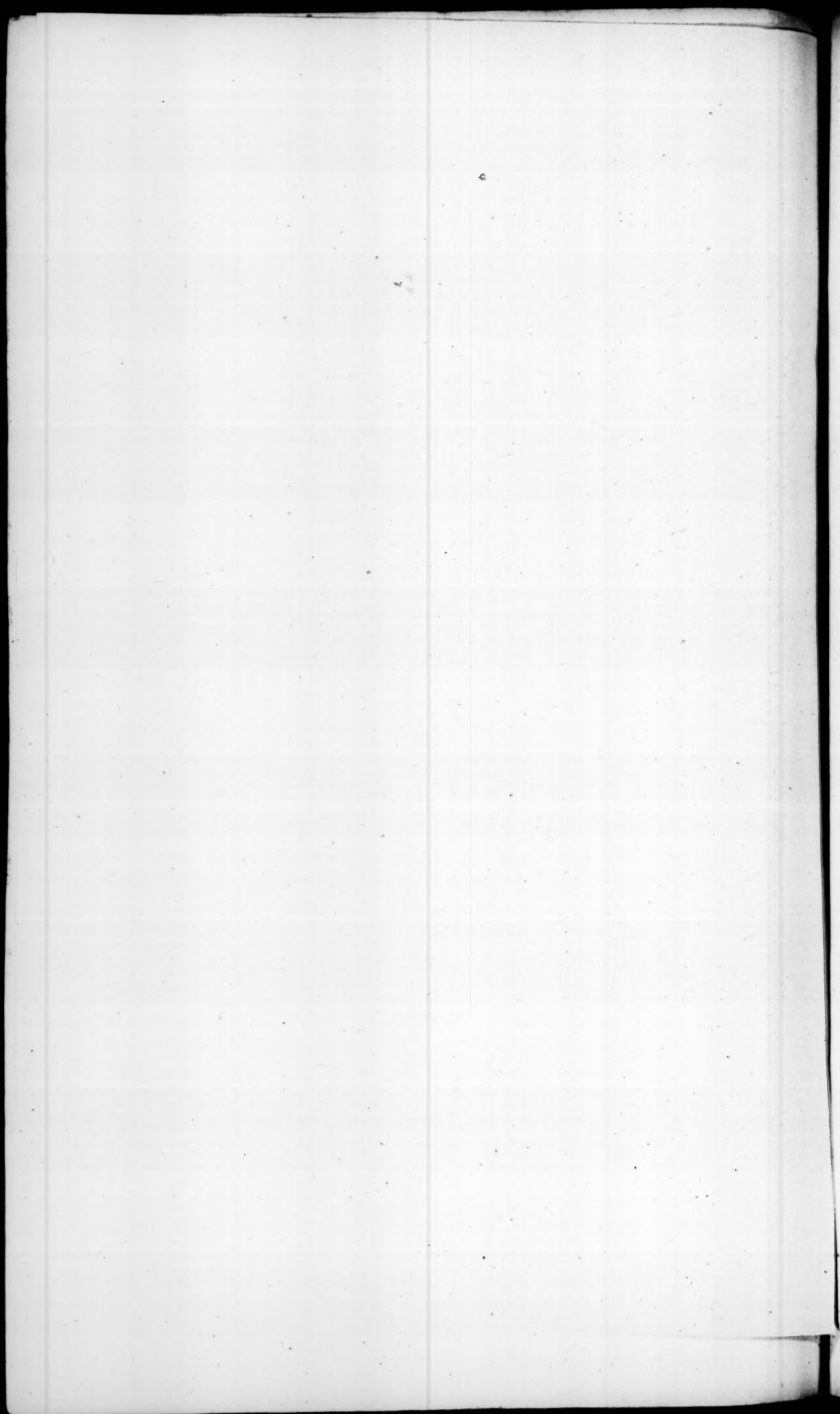
He also asked the House, If they pleased to Sit to Morrow, being the Queens Holy-day? To which, after a little Speech, it was agreed, They should Sit after the Sermon was done at Westminster; which would be ended by Ten of the Clock: And that was affirmed, to be the Antient Course.

17.

On Tuesday, Novemb. 17. A Bill was read for the Enabling of Edward Nevill, of Berling, in the County of Kent Esq; and Sir Edward







Edward Nevil his Son and Heir apparent, to Sell certain Coppy-hold Lands.

A Bill for the true payment of Tythes to the Parsons, and Vicars of all Parishes within the Walls of the City of *Norwich*.

An Act against the unlawful Hunting and Stealing of Deer in the Night time.

A Bill, to prevent Perjury, and Subornation of Perjury, and to prevent unnecessary Suits in Law; the Effect of which Bill, is for Removing of Suits by *Habeas Corpus*, or *Certiorari* before one Juror Sworn, out of the petty Courts to *Westminster*.

I delivered this Bill (*viz.* Mr. *Heword Townssend* the Collector of this Journal) at the delivery whereof, I said: 'Mr. *Speaker*, 'I take every man to be bound in Conscience, to remove a little mischief from the Common-Wealth, before it take Head, 'and grow to a great inconveniency. This Mischief is ordinary and general, therefore though but small, yet to be considered of, and provided against. And if a Heathen Philosopher could Admonish us, *Obstare principiis*, I see no reason, 'That men Indued with Christianity, should be, of the least hurt 'growing in his Country, either regardless or respectless. For 'which purpose, a Gentleman well experienced, having found 'this grief common to the poorer sort, like a good Subject, tending all the parts of this Common-wealth, intreated me at 'my coming into this House this morning, to offer unto your 'considerations this Bill. It is Intituled *An Act, &c.* the Effect 'whereof is, &c. which if it please you to entertain with that 'willingness it is offer'd, I doubt not but this inconvenience 'will be quickly Redressed. So I Offered the Bill, and prayed it might be Read.

A Bill for the Confirmation of *Letters Pattents*, made by King *Edward* the sixth, to Sir *Edward Seymour* Knight.

A Bill, for strengthening an Act made by King *Henry* 8. for the maintenance of the Poor in *St. Bartholomews, London*, according to a Covenant made by the said King, was Read the second time.

And after a Speech made, by Sir *Stephen Some*, Alderman of *London*, it was committed, he alleadged, 'That by the Foundation of the *Hospital*, there were only *One Hundred* Poor maintained; and by the Gifts of other Benefactors since, *One Hundred* more, besides *Six Hundred*, which are there now in 'Cure of divers Diseases. And the Good that comes by this, as 'well as other Hospitals in *London*, is very apparent. For there 'are of Poor people, besides the certain Number of *Hospitallers*, 'the best part of *Three Thousand* daily in Cure.

Sir *Edward Hobby* said: 'I find this Bill to be put into this 'House, to the end that some Contention touching the Limits 'of the Parish next adjoyning to *St. Bartholmews*, may be adjusted. I am ever jealous of private Bills of this Nature, and 'dare not shew my self hasty in Assenting to Pass any without Commitment, lest we might Infring the Liberties of some

N n n

'other

44 *Eliz.*

Bill to prevent Perjury and subornation, &c.

A Bill about *St. Bartholomew Hospital*.

Sir *Stephen Some* speaks to it.

Sir *Edward Hobby's* consideration about the same.

An. 1601.

A Bill against  
Adultery.Serjeant Har-  
ris Objects.The House  
rejects it.

18.

A Bill about  
Solicitors.A Bill against  
Taintoring of  
Cloth, *ie* *Black-  
sming it*Sir George  
Moore opposes  
the too great  
punishment,  
and desires it  
may be Com-  
mitted.

'other Parish adjoyning, Therefore, I Pray it may be commit-  
'ted, and the Parties on both sides Called before the Com-  
'mittees.

A Bill, to Redress Adultery, was Offer'd to the *Speakers* hands.  
The Substance of the Bill was, That if a Woman, or Man, or  
both were Convicted of Adultery, He should lose his *Tenancy*  
*by Courtesy*, and she her *Tenancy in Dower*; Read the first  
time.

Serjeant *Harries* stept up to this Bill, and said: 'Mr. *Speaker*,  
'by the scope of this Bill, the Determination of this Fact must  
'be by two or three blind Witnesses, in the Ecclesiastical Court;  
'which is no Reason, that Judges Ecclesiastical should Determine  
'of Lay-mens Inheritances: Besides, there is another gross fault  
'in the Bill; For if they be both Poor, and have nothing but  
'Goods, they Forfeit nothing. Now, if a man be taken in  
'Adultery he shall not be Punished, because there is nothing of  
'what he should be *Tenant by the Courtesy*. But if the Wo-  
'man be taken, she is to lose the Third of the Goods, or if it  
'be in the City, by Custome, she loseth the half; which is  
'*Jus iniquale*, and not to be admitted in this House; Then all  
'the House Cryed, *Away with it*.

Then the *Speaker* put it to the Question, Whether it should  
be Read the second time? And the House gave a very great  
*No*.

On *wednesday Novemb. 18*. The Bill concerning *Cloth-work-  
ers*, was Committed, and the time of Meeting appointed, on  
*Munday* next in the afternoon, in the *Middle-Temple-Hall*.

The Bill for Reforming the Abuses in *Silk-weavers*.

A Bill for Reforming Abuses in *Embroiderers*.

A Bill for the Repealing of certain Statutes made 5. *Edward 6*.  
and 2. & 3. *Phil. & Marie*, touching the making of Cloth, and  
for the Reforming of Abuses in Making of Cloth, in the County of  
*Somerfet*, was committed to the Committee for *Cloth-workers*.

The Bill for Solicitors, brought in by Mr. *Jones*; the Effect  
whereof is, That no Person whatsoever shall Solicit, other than  
those that will do the same without Fee or Reward; also a Proviso,  
that Utter-Barresters may Solicit in all Courts whatsoever; the like  
for Attornies; the like for them which may maintain any Suit by  
Law; the like for Corporations, that they may make a Sollici-  
tor. Also a Proviso, that no Mechanick Trader may be a Solicitor,  
*viz. Broker, Scrivener, Miller, Smith, &c.* and limited to con-  
tinue to the end of the first Session of the next Parliament.

A Bill against Trifling Suits, brought in by Mr. *Boyse*.

The Bill touching Confirmation of Patents, brought in by Mr.  
*Francis Moore*.

A Bill for Reformation of Abuses in making of Cloth,  
*Read*.

To which Sir *George Moore* stood up and said, 'This Statute  
'forbiddeth Clothiers to use Tayntors. The first Offence  
'*Twenty Pounds*; the second, *Pillory*, too infamous a Punish-  
'ment



44 Eliz.

'ment for so necessary a Member. It pleased the Lords of her  
'Majesties most Honourable Privy Council, to direct their Let-  
'ters to the Justices of the Peace in the Shire where I dwell,  
'for the Suppressing of Tayntors. We sent our Warrants out  
'to the *Cloth-workers*, appointing them to attend us at a certain  
'Day and Place. Upon Examination of the matter before us,  
'We found, by those Reasons they alleadged, that Cloth could  
'not be made serviceable without Tayntors: And though they Tain-  
'tred it never so little, it would stretch a little in breadth, & at least a  
'quarter of a yard in length; for which small fault, being not volun-  
'tary, methinks the punishment aforesaid is too too grievous. I  
'think it therefore fit, That the Bill be Committed. And so  
'it was.

Mr. Francis Bacon brought in the Bill touching the Exche-  
quer, now thus Intituled, *An Act for the better observation of*  
*certain Orders, set down and Established in the Exchequer, un-*  
*der her Majesties Privy Seal.*

Mr. Fr. Bacon's  
Bill touching  
orders in the  
Exchequer.

At which time he said, 'Mr. Speaker, This Bill hath been  
'deliberately and judicially considered of by the Committees,  
'before whom Mr. Osbourn came; who (I assure you) so discreet-  
'ly Demeaned himself, and so submissively referred the state of  
'his whole Office to the Committees, and so well Answered  
'in his own Defence, that they would not Ranſack the heaps,  
'or sound the bottom of former Offences, but only have taken  
'away something that was superfluous and needless to the Sub-  
'ject.

His Speech  
concerning it.

'Though the Committee have reformed some part, yet they  
'have not Eyed so nearly every particular, as if they would  
'pare to the quick an Office of her Majesties Gift and Patro-  
'nage.

'This Bill is both Publick and Private; Publick, because it is  
'to do Good to the Subject; and Private, because it doth no  
'Injustice unto the particular Officer. The Committees here-  
'in have not taxed the Officer by way of Imputation, but re-  
'moved a Tax by way of Imposition.

'I will not tell you what we have taken away, either in *quo*  
'*titulo*, or *Chequer-Language*; but, according to the Poet, who  
'saith, *Mitte id quod Scio, dic quod rogo*, I will omit that which  
'you have known, and tell you that you know not, and  
'are to know, and that in familiar Terms. And so he told the  
'Substance of the Bill.

'We found her Majesty, whose Eyes are the Candles of our  
'good Days, had made him an Officer by Patent; in which  
'that he might have Right, Her Majesties Learned Council  
'were there in Sentinel, to see that Her Majesties Right might  
'not be suppressed. If my Memory hath failed me in the deli-  
'very of the Truth of our Proceedings, and the Committee's  
'determination; I desire those that were there present, to help  
'and assist me. Here is the Bill. So he called aloud to the Serjeant  
'of the House, and delivered him the Bill, to be delivered to the  
'Speaker.

An. 1601.

A Bill against  
idle and lewd  
persons.Mr. Dyott  
moves against  
Patentees.Mr. Lau. Hide  
moves against  
them too.Bill penal for  
Observing the  
Sabbath.Mr. Dyot,  
shews the in-  
conveniency  
in the penaltyMr. Downold  
going to speak  
about it, is in-  
terrupted by  
the Speaker.Who rises  
from the chair  
and would not  
hear him.  
At which he  
threatens him.But the Speak-  
er reply'd not  
a word.

A Bill to prevent divers Misdemeanors, in idle and lewd Persons; being Ingrossed, it was put to the Question and Passed.

Mr. Dyott of the Middle-Temple said: 'Mr. Speaker, There be many Commodities in this Realm, which being publick, for the benefit of every particular Subject, are *Monopolized* by Patent from her Majesty, only for the Good and private Gain of one man. To remedy the Abuses of those kind of Patents, which are granted for a good Intent by her Majesty, I am, Mr. Speaker, to Offer to the Consideration of your self, and this House, An Act against Patents, purporting particular Power to be given to lundry Patentees; it hath a very long Title.

Mr. Laurence Hide, of the Middle-Temple said: 'I would only Mr. Speaker, move you to have an Act Read, containing but *Twelve Lines*. It is an Exposition of the Common-Law, touching these kinds of Patents, commonly called *Monopolies*.

A Bill for the better Observation of the Sabbath, which is framed upon the Act of 1 *Eliz.* the which requires an Indictment before the *One Shilling* can be taken or levied, for not coming to Church; which Circuit taketh away: was Read, and so committed, after much Dispute; for the House generally disliked the course of the Bill; for by that, every Husband must pay *One Shilling* for the Wives absence, and every Master *One Shilling* for his Servant's absence, &c.

Mr. Dyott stood up and said: 'Every Man can tame a Shrew but he that hath her: perhaps she will not come; and for her willfulness, no reason the Husband should be Punished.

So, as they were naming Committees, Mr. Downold the Lord-Keeper's Secretary, stood up; and desired, *That the Bill Mr. Hide called for, might be Read*: and was saying somewhat more.

But Mr. Speaker interrupted him, and said: *I pray you let us name Committees, and then you may Spake*. And so they went to Naming of Committees. And Mr. Secretary Cecil, a little while after, spake something in Mr. Speaker's Ear. But so soon as time and place of Commitment was named, the Speaker rose without further Hearing of Mr. Downold, which he took in great disgrace, and told him, *He would complain of him the next Sitting*; to which the Speaker Answered not one word, but looked earnestly on him; and so the Press of People parted them.

On Thursday, Novemb. 19. An Act, For the Confirmation of the Authority of the Mayor of London, in Saint Katharines.

A Bill for the discovery of the Stealers of Cattle.

A Bill Limiting what Persons shall Die, or retail Woollen-Cloth.

A Bill against Gavel-kind-Land in Kent.

A Bill for the Explanation of the Statutes of 13. and 18. *Eliz.* against Bonds, Courts, or Leafes of Ecclesiastical Livings.

A

A Bill for Explanation of a Statute of 32. Hen. 8. of Limitation of prescription; Read the first time.

A Bill against Blasphemous Swearing.

A Bill for Explanation of the Common-Law, in certain cases of Letters-Patents; brought in by Mr. Hide.

A Bill for the Denization of certain Persons: viz. of Joseph Lupo, one of the Queen's Physicians: Thomas Moxon, Richard Bye, Son of William Bye, and Margery his Wife; and Mary Questor.

A Bill for the Enabling of Edward Nevil of Burling, in the County of Kent Esq; and Sir Henry Nevil his Son and Heir apparent, to sell certain Coppy-hold Lands; Read and Committed: And Tuesday in the Afternoon, is the time appointed, for them to meet in the Court of Wards; and all the Queens Council, and Council on both sides are to attend; for that the Queen is in Remainder. And Sir Edward Hobby certified the House, That to his knowledge, the Queen was well pleased with this Bill.

There were returned Burgesses for Newton in Lancashire, one Mr. Langton of Lancashire, and one Mr. Richard Alston, who was present in the House; but the said Baron, though he were returned, he was not yet come to Town, by reason he fell Sick by the way, as Mr. Alston informed the House. But he sent up his Solicitor hither, to follow his Causes in Law, and to pay a certain Debt of his, to Mr. John Lacy of Cheapside. Now Mr. Alston informed the House, 'That this Solicitor was Arrested on Sunday Night last, in Grays-Inn-Lane, by a Bill of Middlesex, at the Suit of one William Musket a Taylor, and carried Prisoner to Newgate. And there, after a discharge gotten, because he said he was a Servant to a Parliament Man; he was no sooner discharged, but he was strait again Arrested, and carried to the Compter, and there laid all Night, until he sent to the Serjeant at Armes, who fetched him out, and kept him in his Custody.

And now this Day at the Bar, he desired the privilege of the House, he being a special Servant to a Member thereof: so after, he was removed out.

Mr. Francis Moore said, 'I think it will grow a Question, Whether he shall have privilege, in that his Master is not Sworn, nor here.

Mr. Brown said, 'Every Parliament-Man hath privilege for himself and Servants Fourteen Days before the Parliament, and this is, before he is returned or Sworn; much more ought we to give privilege in this Case.

Then was Musket, that procured the Arrest, brought in; and being demanded the Reason, How he durst meddle with any Mans Servant of the House? he Answered, 'That the said Soliciter, being demanded whether he Served any Parliament-Man? He Answered, No. Which indeed afterwards proved untrue, when they were brought Face to Face.

Then the Serjeant was brought in, who said, He was put to his

O o o

Choice,

44 Eliz.

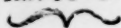
A Complaint of an Arrest of a Solicitor belonging to a Member that was not yet Sworn,

Mr. Moore makes a Doubt, Whether he could have Privilege.

Nota, Mr. Browne pleads, he had, as all others, Fourteen days, before the Meeting or Swearing of the House. Where Note, The Members then claimed but Fourteen Days before a Session, which is now reck'ned Forty Days.



An. 1601.



Choice, whether he would tarry still at Newgate, or go to the Compter. Being further asked, whether he could say any more in his own Excuse? He said, No.

So the Solicitor was brought in; who justified, that he was first Arrested, and after Discharged, and then the second time Arrested as aforesaid. So they were both removed out of the House.

Sir Edward Hobby took hold of the Speech made by the Serjeant, of his Choice to stay in Newgate, or to go to the Compter; as also, that he was doubly Arrested, and paid double Fees.

So after Consultation had, it was put to the Question, and agreed by the House, That they both should pay the Solicitors Cost and Damages, and be imprisoned three days in the Serjeants Custody. And each of them, both Musket, and the Serjeant, to Pay the Serjeant Attending this House his Fees, and the Solicitor to Pay none, and so to be Discharged.

A Bill for Confirmation of Grants made to the Queens Majesty, and of Letters-Patents made by her Majesty to others, being Ingrossed, was Read the Third time, and without Speech, or denial Passed, only Mr. Dale of the Temple said, No.

Secretary  
Herbert's Re-  
port from the  
Lord-Keeper.

Mr. Secretary Herbert said, According to Your Commandment, Sir Edward Stafford, and my self, went to my Lord Keeper, and delivered unto him, That Notwithstanding some Allegations, which were Alleadged on the behalf of his Lordship concerning our Resolutions, about the warrants, which upon mature Deliberation we found by Precedents, That they ought to go and be directed to the Clerk of the Crown.

The Keeper's  
Reply to him,  
&c.

His Lordship after a small Pause, Answered, That he now Considered the weightiness of divers Businesses that were now in hand: The Consultation which we were likely presently to have touching the Bill of Subsidy. That the Enemy, the Spaniard, was Landed in Ireland; and the business, of those Affairs of great Imports: as also his own Business in the Upper-House, and the short end which was like to be of this Parliament. And therefore, he would now not stand to make Contention, or shew his further Reasons; but prayed us, to certify you all, That he would be most ready and willing, to perform the desire of this House.

The Bill of Petty-Theft, and Patents aforesaid, were sent up to the Lords, by Sir John Fortescue and Mr. Secretary Hubbart. The House called upon Mr. Secretary to go, but he desired to be excused, because he was troubled with a Cold.

A Bill to  
prevent Tran-  
sporting of  
Bulloin.

A Bill to restrain the Transportation of Money out of the Realm, and to Reform certain Abuses in the Exchanges, was Read.

Mr. Fetty-  
place speaks to  
that Bill.

Mr. Fettyplace a Burgess for London, spake to this Bill, and said, It is to be thought that the Netherlander having so much use for Money, is the Exporter thereof out of this Realm. The French King made it a Law, That no man on pain of Death, should Export Money thence. Germany holdeth the Standard, so doth France, and so do we. But the Netherlander only doth not, and he only thereby gained of all Three. There be good Statutes already made to this

this purpose, both in the time of Rich. 2. Hen. 3. Hen. 4. Hen. 5. and Hen. 6. That no Stranger should bring Commodities into this Land, but he should bring in so much Money, &c. He made a very long Speech touching the manner of Trade by Exchange, in Merchants Language, which I could not well Note. So the Bill was committed, and the Chequer-Chamber appointed the place, and Friday in the afternoon the Time.

Mr. Henry Mountague shewed, That 17. Ed. 4. such Transportation was made Felony, and never since Transportation much heard of, till this Queens Days; in whose time, none of those Laws are in force, which if they were revived, and set on Foot again, I think such kind of Transportation would be less used than it is.

One of the Burgesses of Yarmouth Moved, All Officers of Ports might be certified of such Goods as be Exported, and the Skipper bound in Bond, to be sent to her Majesties Custom House, &c.

Mr. Davis said, "Mr. Speaker, I hold this Paradox for a true ground of Policy, That if there were no Money in the world, then this Kingdom were the happiest Nation in the world. And the best Age was, when there was only bartering of Commodities; For one yard of Cloath would be better than three yards of Velvet. And an Ounce of Iron, for the Use of man, better than a Pound of Gold. A Busbel of Corn, better than ten Busbels of Pepper or other Grain. The fundamental Cause of this Bill was, That we might not be Cozened of our Moneys, who have the best Standard in the world: For now the Exchange is Governed by Brokers; and as it pleases them, the Exchange must Rise and Fall. So the Bill was Committed.

The Bill, for Setting of Watches, was Read and Committed; the Place of meeting appointed the Court of Wards, and Tuesday next in the afternoon the Time.

A Bill for the Relief of *Theophilus Adams*, touching certain obligations reputed to be made void by the Statute of 39 Eliz. intituled, *An Act, &c.* Some say, this Bill was cast out of the House the last Parliament.

On Fryday Novemb. 20. An Act for the Assurance of the Jointure of *Lucy Countess of Bedford*.

A Bill Prohibiting Fairs to be held on Sunday, by which the Statute of Hen. 6. cap. is repealed.

A Bill against wilful absence from Church on Sundays, was brought in.

Sir *Francis Darcy* brought this Bill in after Commitment, and said, 'Mr. Speaker, Me thought I heard a strange Voice at the 'Committing of this Bill. I hope after these Amendments, it 'will have better success at the Passing, than that Voice did 'prefage; but most especially of us that are the Mouths of the 'most Grave, and Religious Commons of this Realm: by this 'Bill every Husband must pay for the wilful absence of his 'Wife, and Children above Twelve years of Age, and Servants: There is a new Proviso for having Service at 'home.

44 Eliz.

Mr. Mountague for the Bill.

Mr. Davies about Money and Barture in Trade.

20.

A Bill about the Wilful Abstaining from Church. For which Sir Francis Darcy pleads.

An. 1601.

Sir Edw.<sup>d</sup>  
Hobby's Re-  
flection on it.Sir George  
Moore to the  
same Bill.Mr. Francis  
Moore to the  
same.Mr. Martin  
against it, up-  
on good Con-  
sideration.Sir William  
Wray Explains  
it.Dr. Bennet's  
Observation.

Sir Edw. Hobby said: 'I think this Statute is an implicative Expo-  
' sition of the Stat. 23. Eliz. by which every Recusant is to pay  
' 20*l.* to the Queen, a month, for wilful absence from the Church;  
' and it hath been a doubt, whether they shall pay so much for  
' their Wives. Now, this Statute doth not Explain that point,  
' but only that they must pay *One Shilling* for their Wives, &c.  
' and therefore I doubt some matter of Secret is in this Statute,  
' which is not yet known.

Sir George Moore said: 'The old Statute of 23. *Regina* saith, That  
' every person that hath Goods shall pay; but the Wife hath  
' no Goods, therefore she shall not pay: And for any matter of  
' Secret in this Bill, I protest, I know none; and therefore  
' I think it needeth no new Constructions.

Mr. Francis Moore said: 'Mr. Speaker, I think the Bill inten-  
' deth not to bring any that be ill-Affected within danger of  
' this Law, or any that be within the Statute of 23. *Regina*, but  
' only to punish those with the Penalty of *One Shilling*, which  
' though they be well addicted, yet they be negligent. For my  
' own part, I do so much desire the Furtherance and good Suc-  
' cess of this Bill, or any of the like Nature, that he that doth  
' not the like, I would he had neither Heart to think,  
' nor Tongue to speak.

Mr. Martin said: 'I do Mr. Speaker, as much favour this Bill, as  
' any man doth; but I would but Move one Question to the  
' House, in which I desire to be Resolved: That is, if they  
' that pay their *Twenty Pound* a month to the Queene, shall pay  
' also their *Twelve Pence a week* by force of this Statute: For my  
' part, as the Law it self will not tolerate two Remedies for  
' one Inconvenience; So I can never agree, in Conscience, to  
' consent to a double Remedy for one Offence.

Sir William Wray, 'To the Question that was propounded.  
' However the Bill now standeth, this I can affirm to the *House*,  
' That the Intent of the Committee was, That those *Recusants*  
' that are able to pay their *Twenty Pound*, should not pay this  
' Penalty; but that it should be only inflicted on the Poorer  
' Sort.

Dr. Bennet said: 'Mr. Speaker, Though I had no Meaning to  
' speak, yet I will now speak to the Objection that was last  
' made. This Law gives Life to that Statute, 1 *Eliz.* which  
' by reason of by *Ambages* Indictment, and otherwise, never al-  
' most had his due Execution: And a Law without Execution,  
' is like a Bell without a Clapper; for as the Bell gives no Sound,  
' so the Law doth no Good.

' There are, Mr. Speaker, in the County where I am, *Twelve*  
' or *Thirteen Hundred Recusants*; most of which, this Law which  
' we have now in hand would constrain to come to Church:  
' I mean only those of the Poorer Sort. It is a Duty in *Christia-*  
' *nity*, for the *Father* to look to his *Child*, and for the *Master* to  
' look to his *Servant*; which because it hath grown Cold, this  
' Law will Quicken and Revive: For Punishment will make  
' them do that by Constraint, which they ought to do in regard of  
' Religion.

Sir



Sir Robert Crofs said : *I would move but one Question ; If a Man be in the Queen's Wars, Must he pay for the Absence of his wife, Children, and Family ? This indeed is a Fault in the Bill. So if a Man be absent from Home, as at London about his Law-Suits, &c.*

An. 1601.

Sir Robert Crofs's Objections.

Mr. Carew said : *Mr. Speaker, I will not speak against the Body of the Bill ; only, I dislike one thing in it ; and that is, That Justices of the Peace should have this Authority. They have enough already to do ; and therefore, no reason they should meddle in Ecclesiastical Causes. I think rather, it were fit to be Committed into the Hands of the Parson of the Parish : For it is no Policy, that Justices of the Peace should have such Power over their Neighbours.*

Mr. Carew's Objections.

Mr. Browne said : *Mr. Speaker, There is one Thing would be looked into in this Bill, which cannot now be remedied ; and that is : If the Church-Wardens shall secretly keep a Kalendar ; and so, where he should gather Twelve Pence for the Poor, perhaps, will take Four Pence for himself, and dispense with the rest.*

Mr. Browne's Objection.

So, after long Dispute, it was put to the Question ; and the House divided : The *Y's*, were 137. and the *Noes*, 140. So the Bill was Rejected but by Three Voices only.

The Bill rejected by 3. Voices.

One Mr. William Morris, Burgess for Bewmorris, informed the House : *That as he was coming up to London, on his way his Man was Arrested at Shrewsbury : whereupon, he told the Serjeant, That he was of the Parliament-House ; and therefore wished him to Discharge his Servant. The Serjeant said, He could not Discharge him ; but he would go to the Bayliff with him : To whom, when he came, he likewise declared, He was of the Parliament-House ; and therefore, required his Servant. To whom the Bayliff answered, He could not Discharge him, without the Consent of him that procured the Arrest. To whom he also went ; and he answered the Serjeant and him : Keep him fast ; I will not Release him, until I be satisfied. Then he told the Creditor, That he was of the Parliament-House ; and therefore, his Servant was Privileged. whereunto the Creditor made this Answer : I care not for that ; keep him fast, I will be your Warrant. I thought good to move the House herein, referring it to your Consideration. And because I am willing, that the Privileges of this House may be known as well afar off, as here at hand, I thought good to move the same.*

Mr. Francis Moore said : *Mr. Speaker, Methinks this Action is very Scandalous to the whole House ; and because it is a Cause both Extraordinary and Contemptible, in my Opinion, it deserves a most severe Exemplary Punishment.*

Whereupon all the House cried, *To the Tower, to the Tower with them ! Send for them, send for them !*

Mr. Speaker said : *Is it your Pleasure, the Bayliff, and he that procured the Arrest, and the Serjeant, shall be sent for ? And all cried, Yea. Then the Speaker said : The Serjeant must go down to Shrewsbury : And all cried, Yea.*

The Speaker gave the Clerk a Bill to read. And the House called for the Checquer-Bill : Some said, *Yea* ; and some said, *No* ; and a great Noise there was.

An. 1601.

A Bill about  
Patents, and  
Monopolies.

Mr. Spicer,  
gives a caution  
against it :  
And then  
goes on to  
Consider it,  
and shews the  
great Grievance  
of *Monopolitans*.

At last, Mr. Lawrence Hide said : *To end this Controversie, because the Time is very short, I would move the House, to have a very short Bill read ; Entitled, An Act of Explanation of the Common-Law, in certain Cases of Letters-Parents. And all the House cryed, I, I, I.*

So, after it was read, the Question was to be Propounded for the Committing of it ; and some cryed Commit it, some Ingross it : At length,

Mr. Spicer, Burgess for *warwick*, stood up, and said : ‘ Mr. Speaker, This Assembly may be said to be *Libera Gens* ; and therefore, I hope, here is both *Libera Mens*, and *Libera Lingua*. Therefore, Freely and Faithfully, that which I know I will speak to this Honourable House.

‘ This Bill may touch the Prerogative Royal ; which, as I learned the Last *Parliament*, is so Transcendant, that the Eye of the Subject may not Aspire thereunto. Far be it therefore from me, that the State, and Prerogative-Royal of the Prince should be tyed by me, or the Act of any other Subject.

‘ First, Let us consider the word *Monopoly*, what it is ; *Monos* is *Unus*, and *Polis*, *Civitas* : So then, the Meaning of the Word is ; *A Restraint of any thing Publick, in a City, or Commonwealth, to a Private Use*. And the User called a *Monopolitan* ; *quasi, cujus privatum lucrum est urbis, & orbis Commune Malum*. And we may well term this Man, *The Whirlpool of the Princes Profits*.

‘ Every Man hath Three especial Friends, his Goods, his Kinfolk, and his Good Name : These Men may have the Two First, but not the Last. If I were acquainted with any of them, I would wish them to lose some Goods, to gain a Good Name. They are *Insidiosa, quia dulcia* : They are *dolosa, quia dubia*. I speak not, Mr. Speaker, either Repining at her Majesty’s Prerogative, or misliking the Reasons of her Grants ; but out of Grief of Heart, to see the Town wherein I Serve, pestered, and continually vexed with the Substitutes, or Vicegerents of these *Monopolitans* ; who are ever ill disposed, and ill affected Members.

‘ I beseech you, give me Leave to prove this unto you by this Argument ; Whosoever transgresseth the Royal Commission of Her Majesty, being granted upon good and profitable Suggestions, and also abuseth the Authority and Warrant of Her Majesty’s Privy-Council, being granted unto him for the more Favourable Execution of his Patent ; this Man is an evil disposed, and dangerous Subject. But that this is true, and hath been done by one Person, a Substitute of a Patentee, I will prove unto you.

‘ The Major needs not be proved, the Minor I will thus prove : My self am *Occulatus Testis* of this Minor ; *Et talis testis plus valet existens unus, quam auriti decem*.

‘ The Substitutes of the Patentees for *Aqua-Vite*, and *Vinegar*, came not long since to the Town where I Serve ; and presently

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‘fently fraid Sale of both these Commodities; unless the Sellers  
‘would compound with them, they must presently to Council-  
‘Table. My self, though Ignorant, yet not so Unskilful, by  
‘reason of my Profession, viewed their Patent, to see whether  
‘their Proceedings were according to their Authority, and found  
‘they exceeded it in Three Points. For, where the Patent gives  
‘Six Months Liberty to the Subject that hath any *Aqua-Vita*,  
‘to sell the same, this Person comes down within *Two Months*,  
‘and takes Bond of them to his own Use; where he ought to  
‘bring them before a Justice of Peace, and they there be bound  
‘in Recognizance; and after, to be returned into the *Exchequer*.  
‘And so, by Usurpation, retaineth Power in his own Hands,  
‘both to Kill and Save. Thus Her *Majesty’s* Commission being  
‘transgressed, both in Zeal, as a Subject, and Sworn-Servant  
‘to Her *Majesty*, I hold my self bound in Duty, to certify the  
‘House thereof. And also, this Substitute stands Indicted, as an  
‘Obstinate *Recusant*: Yea, when Her *Majestys* Name hath been  
‘spoken of, and Her Self prayed for, he hath refused to stir  
‘Hat or Lip.

‘My humble Motion therefore is, That we may use some Cau-  
‘tion, or Circumspective Care, to prevent this ensuing Mis-  
‘chief.

‘Mr. Francis Bacon said: The Gentleman that last spake, to-  
‘fed so for, and against the Bill, that for my own Part, not  
‘well hearing him, I did not well understand him. I confess  
‘the Bill, as it is, is but in few Words; but yet Ponderous and  
‘Weighty.

‘For the Prerogative-Royal of the *Prince*: For my own Part,  
‘I ever allowed of it; and it is such, as I hope I shall never  
‘see discussed. The *Queen*, as She is our Sovereign, hath both  
‘an Inlarging and Restraining Liberty of Her Prerogative; that  
‘is, She hath Power by Her Patents, to set at liberty Things  
‘restrained, by Statute-Law, or otherwise: And by Her Pre-  
‘rogative, She may restrain Things that are at Liberty.

‘For the *First*: She may grant *non Obstantes*, contrary to the  
‘Penal Laws; which truly, in my own Conscience, are as hate-  
‘ful to the Subject, as *Monopolies*.

‘For the *Second*: If any Man, out of his own Wit, Industry,  
‘or Endeavour, find out any thing Beneficial for the Common-  
‘Wealth, or bring any New Invention, which every Subject  
‘of this Realm may use; yet in regard of his Pains, Travel  
‘and Charge therein, Her *Majesty* is pleased (perhaps) to grant  
‘him a Privilege, to use the same only by himself, or his De-  
‘puties, for a certain time: This is one kind of *Monopoly*.  
‘Sometimes, there is a Glut of Things, when they be in Ex-  
‘cessive Quantities, as of Coin; and perhaps, Her *Majesty* gives  
‘License to one Man, of Transportation: This is another kind  
‘of *Monopoly*. Sometimes there is a Scarcity, or small Quan-  
‘tity; and the like is granted also.

Mr. Bacon to  
the same Bill,  
against it.



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‘ These, and divers of this Nature, have been in Tryal, both in the *Common-Pleas*, upon Actions of Trespafs; where, if the Judges do find the Privilege good for the Common-Wealth, they will Allow it, otherwise Disallow it. And also, I know, That Her Majesty Her self, hath given command to her Attorney-General, to bring divers of them (since the Last Parliament) to Tryal in the *Exchequer*. Since which, Fifteen or Sixteen, to my Knowledge, have been Repealed: Some upon Her Majesty’s own Express Command, upon Complaint made unto Her by Petition; and some by *Quo Warranto*, in the *Exchequer*.

‘ But, Mr. Speaker, (*said he, pointing to the Bill*) This is no Stranger in this Place; but a Stranger in this Vestment. The Use hath been ever, by Petition to Humble our selves to Her Majesty, and by Petition to desire to have our Grievances redressed; especially, when the Remedy toucheth Her so high in Prerogative. All cannot be done at once; neither was it possible, since the Last Parliament, to repeal All. If Her Majesty makes a Patent, or a Monopoly, to any of Her Servants; That we must go and cry out against: But if She grants it to a Number of Burgesses, or Corporation, that must stand; and that, forsooth, is no *Monopoly*.

‘ I say, and I say again, That we ought not to deal or meddle with, or judge of Her Majesty’s Prerogative. I wish every Man therefore, to be careful in this Point: And humbly pray this House, to testify with me, That I have discharged my Duty, in respect of my Place, in speaking on Her Majesty’s Behalf; and do protest, I have delivered my Conscience, in saying what I have said.

Dr. Bennet against the Monopoly for Salt.

Sir Wal. Rawleigh Blushes.

Doctor Bennet said: ‘ He that will go about to debate Her Majesty’s Prerogative Royal, must walk warily. In respect of a Grievance out of that City for which I Serve, I think my self bound to speak That now, which I had not intended to speak before: I mean, a *Monopoly of Salt*. It is an Old Proverb, *Sal sapit omnia*: Fire and Water are not more Necessary. But for other *Monopolies of Cards*, (*At which word Sir Walter Rawleigh Blush’d*) Dice, Starch, &c. they are, (because *Monopolies*) I must confess, very Hateful, though not so Hurtful. I know, there is a great Difference in them: And I think, if the Abuse in this *Monopoly of Salt* were Particularized, this would walk in the Fore-Rank.

‘ Now, seeing we are come to the Means of Redress, let us see it be so Mannerly and Handfomely handled, that after a Commitment, it may have good Passage.

Mr. Laurence Hide to the same Bill.

‘ Mr. Laurence Hide said: ‘ I confess, Mr. Speaker, That I owe Duty to God, and Loyalty to my Prince. And for the BILL it self, I Made it; and, I think, I Understand it: And far be it from this Heart of mine to Think, this Tongue to Speak, or this Hand to Write any Thing in Prejudice or Derogation

‘tion of Her Majesty’s Prerogative Royal, and the State. But  
 ‘because ye shall know this Course is no new Invention, but  
 ‘long since digested in the Dayes of our Fore-Fathers, above  
 ‘Three Hundred Years ago; I will offer to your Considerations,  
 ‘one Precedent in the 50 Ed. 3. At which time, one *John*  
 ‘*Peache* was Arreigned at this Bar, for that he had obtained of  
 ‘the King a *Monopoly* for Sweet *Wines*: The Patent, after great  
 ‘Advice and Dispute, adjudged Voyd; and before his Face, in  
 ‘open *Parliament*, Cancell’d; because he had Exacted *Three Shil-*  
 ‘*lings* and *Four Pence*, upon every Tun of *wine*: himself ad-  
 ‘judged to Prison, until he had made Restitution of all that he  
 ‘ever had Received; and not to be Delivered, till after a Fine  
 ‘of *Five Hundred Pounds* paid to the King.

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‘This is a Precedent worthy Observation; but I dare not pre-  
 ‘sume to say, worthy the Following. And, Mr. *Speaker*, as I  
 ‘think it no Derogation to the Omnipotency of *God*, to say, He  
 ‘can do ill; so I think it no Derogation to the Person or Ma-  
 ‘jesty of the *Queen*, to say so: Yet, because Two Eyes may  
 ‘see more than One, I humbly pray, That there may be a Com-  
 ‘mitment had of this Bill, lest some thing may be therein,  
 ‘which may prove the Bane and Overthrow thereof, at the  
 ‘Time of the Passing.

A notable  
Precedent.

‘Mr. Serjeant *Harries* said: ‘Mr. *Speaker*, For ought I see, the  
 ‘House meaneth to have this Bill in the Nature of a Petition:  
 ‘It must then begin with more Humility. And truly, Sir, the  
 ‘Bill is Good of it self; but the Penning thereof, is somewhat  
 ‘out of Course.

Serjeant  
*Harries*.

‘Mr. *Mountague* said: ‘The Matter is Good and Honeft;  
 ‘and I like this manner of Proceeding by Bill well enough, in  
 ‘this Matter. The Grievances are great; and I would only  
 ‘note but thus much unto you, That the Last *Parliament* we  
 ‘proceeded by way of Petition, which had no successful Ef-  
 ‘fect.

Mr. *Mounta-*  
*gue* for the  
Bill.

Mr. *Francis Moore* said: ‘Mr. *Speaker*, I know the *Queen*’s  
 ‘Prerogative is a Thing curious to be dealt withal; yet all  
 ‘Grievances are not comparcable. I cannot utter with my Tongue,  
 ‘or conceive with my Heart, the great Grievances that the  
 ‘Town and Country for which I Serve, suffer by some of these  
 ‘*Monopolies*: It bringeth the General Profit into a Private Hand;  
 ‘and the End of all, is Beggary and Bondage to the Subject.  
 ‘We have a Law for the true and Faithful Currying of *Leather*:  
 ‘There is a Patent that sets all at Liberty, notwithstanding the  
 ‘Statute. And to what purpose is it, to do any thing by Act  
 ‘of *Parliament*, when the *Queen* will undo the same by Her Pre-  
 ‘rogative.

Mr. *Francis*  
*Moore*.

‘Out of the Spirit of Humility, Mr. *Speaker*, I do speak it;  
 ‘There is no Act of Hers that hath been, or is more Deroga-  
 ‘tory to Her own Majesty, or more Odious to the Subject, or  
 ‘more Dangerous to the Common-Wealth, than the Granting  
 ‘of these *Monopolies*.

An. 1601.

Mr. Martin  
against Mo-  
nopolies.

Mr. *Martin* said: 'I speak for a Town that grieves and pines, and for a Country that groaneth under the Burthen of Monstrous and Unconscionable Substitutes, to the *Monopolitans* of *Starch, Tynn, Fish, Cloth, Oyl, Vinegar, Salt*, and I know not what; nay, What not?

'The Principal Commodities both of my Town and Country, are ingrossed into the Hands of these Blood-Suckers of the Common-Wealth.

'If a Body, Mr. *Speaker*, being Let Blood, be left still Languishing without any Remedy, How can the Good Estate of that Body long remain? Such is the Estate of my Town and Country. The Traffick is taken away by Wars; the Inward and Private Commodities dare not be used, without License of those *Monopolitans*. If these Blood-suckers be still let alone, to suck up the best and principallest Commodities, which the Earth there hath given Us; What shall become of Us, from whom the Fruits of our own Soyl, and the Commodities of our own Labour, which with the Sweat of our Brows, (even up to the Knees in Mire and Dirt) we have labour'd for, shall be taken from Us by Warrant of Supreme Authority, which the poor Subject dares not gain-say?

Sir George  
Moore.

Sir *George Moore* said; 'I make no Question, but that this Bill offereth Good Matter; and I do wish, that the Matter may in some other sort be Prosecuted, and the Bill Rejected. Many Grievances have been laid open, touching the *Monopoly* of *Salt*; but if you had added thereunto *Peter*, then you had hit the Grief aright, with which my Country is perplexed. There be Three Persons; Her *Majesty*, the *Patentee*, and the *Subject*: Her *Majesty* the Head, the *Patentee* the Hand, and the *Subject* the Foot. Now, here is our Case; the *Head* gives Power to the *Hand*, the *Hand* Oppresseth the *Foot*, the *Foot* Riseth against the *Head*.

'We know the Power of Her *Majesty* cannot be Restrained by any Act: Why therefore, shou'd we thus Talk? Admit we should make the Statute with a *non Obstante*; yet the *Queen* may grant a Patent with a *non Obstante*, to cross this *non Obstante*.

'I think therefore, That it agreeth more with the Wisdom and Gravity of this *House*, to proceed with all Humbleness, rather by Petition, than Bill.

Mr. Wingfeild.

Mr. *Wingfeild* said: 'I would but put the *House* in mind of the Proceedings we had in this Matter, the Last *Parliament*: In the End whereof, our *Speaker* moved Her *Majesty* by way of Petition, That the Grief touching these *Monopolies* might be Respected, and the Grievance coming of them might be Redressed. Her *Majesty* answered by the *Lord-Keeper*: That *She would take care of these Monopolies; and our Grievs should be Redressed: If not, She would give us free Liberty to Proceed, in making a Law the next Parliament*.

'The Wound, Mr. *Speaker*, is still Bleeding; and we grieve under the Sore, and are without Remedy. It was my Hap, the



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the Last Parliament, to Encounter with the word *PREROGATIVE*: But as Then, so Now, I do it with all Humility; and wish all Happyness both unto It, and Her Majesty. I am indifferent, touching our Proceedings, whether by Bill or Petition; because that therein our Grievance may follow, whereby Her Majesty may specially understand them.

Sir Walter Rawleigh said: 'I am urged to Speak, in two Respects; The one, because I find my self touched in Particular; the other, in that I take some Imputation and Slander to be offer'd unto Her Majesty: I mean, by the Gentleman that first mentioned Tynn, (which was Mr. Martin): For That being one of the Principal Commodities of this Kingdom, and being in Cornwall, it hath ever (so long as there were any) belonged to the Dukes of Cornwall; and they had special Patents of Privilege. It hath pleased Her Majesty, freely to bestow on Me that Privilege, and that Patent; being word for word, the very same the Duke's is. And because, by reason of my Office of Lord-Warden of the Stannaries, I can sufficiently inform this House of the State thereof, I will make bold to deliver it unto you.

Sir Walter Rawleigh.

'When the Tynn is taken out of the Mine, and Molten and Refined, then is every Piece containing a Hundred Weight, sealed with the Duke's Seal. And by reason of this Privilege, (which I now have) he ever had the Refusal in Buying thereof, for the words of the Patent are, *Nisi nos emere volumus*. Now I will tell you, That before the granting of my Patent whether Tynn were but at Seventeen Shillings, and so upward to Fifty shillings a Hundred, yet the poor Workman never had but Two shillings a week, finding himself. But since my Patent, whosoever will work, be Tynn at what price soever, they have Four shillings a week truly paid; there is no poor that will work there, but may, and have that Wages. Notwithstanding, if all others may be Repealed, I will give my Consent as freely to the Cancelling of this, as any Member of this House.

Sir Francis Hastings said, 'It is a special Honour to this Assembly, to give freedom of Speech to all; and howsoever some have been heretofore troubled, yet I Joy to see so great Reformation, that we may speak quietly and be heard peaceably; every man hath not a like Sense or Judgement, neither is every mans memory alike. I wish that if any Gentleman that speaks of this, or any other Subject as curious, shall let fall any word amiss or unpleasing, that it may be Attributed rather to earnestness, than want of Duty.

Sir Francis Hastings.

*This Speech proceeded in respect of Sir Walter Rawleigh's sharp Speech; as also of the great Silence after it.*

Mr. Snigg wisht a Commitment to Devise a Course.

Sir Robert wroth wished a Commitment, in which a Course

Q q q 2

might

An. 1601.

Mr. Downall's  
Proposal.Mr. Johnson's  
With, and  
good Opinion  
of the Queen.Agreed to be  
Committed.

21.

might be devised, how Her Majesty might know our Special Grievs.

Mr. Downall said, *As I would be no let, or over vehement in any thing, so I am not sottish or senceless of the common Grievances of the Common-wealth.*

*If we proceed by way of Petition, we can have no more grations Answer, than we had the last Parliament to our Petitions. Since the Parliament, we have had no Reformation. And the Reason why I think no Reformation hath been had, is, because I never heard the Cries against Monopolies greater, and more vehement.*

Mr. Johnson said, Mr. Speaker, I will be very short; I say only thus much, I would we were all so happy, That Her Majesties Gracious Self, had heard but the fifth part of that, that every one of us hath heard this day. I think verily in my Soul, and Conscience, we should not be more desirous in having these Monopolies called in, than She would be earnest therein her self.

So it was put to the Question, When the Commitment should be? And agreed, to morrow in the afternoon, in this House.

On Saturday, Novemb. 21. A Bill for Explanation of the Statute made 21 Hen. 8. Cap. . touching Loading, and Unloading of Merchandize; the first time Read.

A Bill for the Reducing of those which be Brewers, within the City of London, and Suburbs thereof, and within Two Miles Compass of the same, into the said Company of the said City.

A Bill to Enable Sir Anthony Maney, Knight, and Anthony Maney, Esquire, his Son, to make Sale of certain Lands of John Maney, his Father, Deceased; Read the first time.

A Bill for Levying of Fines with Proclamation, of Lands within the County of the City of Chester; put in the Sixteenth of November, 1601. The Substance of the Bill is; *That Fines Levied before the Mayor, at the Portmoot-Court, should be Available; and the Conusors of Fines may take by Dedimus potestati. Vide 2 Edwardi 6. Cap. . and 21 Hen. 7. Cap. .*

A Bill for Fines with Proclamation, within the County of Chester.

Mr. Wingfeild brought in the Bill for Dreined Grounds.

Sir Edward Hobby said: *A Gentleman, a Good Member of this House, (Sir John Gray) was Served with a Subpœna in Chancery, Ad Respondendum 30 Nov. ad festam Roberti Atkins. If no Order be taken herein, I think for my own Part, both the House, and the Privileges thereof, will grow in Contempt. I wish, that the Serjeant may be sent for the Party, and that some Exemplary Punishment may be inflicted.*

Mr. Doyley said: Mr. Speaker, we spend much time (which is now Precious) in Disputing of Privileges, and other Matters of small Importance: For my own Part, I think no time should be spent herein; but that a Writ of Privilege may be Granted.

Mr.

Mr. Johnson said: *Mr. Speaker, Our own Lenity, is the Cause of this Contempt. And until some special Punishment be Inflicted it will not be otherwise.*

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Mr. Francis Moore brought in the Bill touching Sir Francis Seymour, Knight.

A Bill to avoyd the deceitful Stretching, or Tentoring of Woollen Cloths, Committed to the former Committees of Woollen Cloths.

Sir Edward Seymour's Bill was put to the Question, and Ordered to be Ingrossed.

A Bill for the Erecting and making an Harbour or Key on the North-part of Devon, in the mouth of the River Severn, was read.

Mr. Zacharias Locke said: *Mr. Speaker, I am not against this Bill, it is a Commendable piece of work ; but, Mr. Speaker, methinks the Bill yeildeth too great scope of Fishing into the Sea ; which how Prejudiciall it may be to the Office of the Lord Admiral, or to his Successors, or to the Royalty of any other, I know not ; therefore, That the Bill may have the safer Passage, I wish it may be Considered of at a Commitment.*

A Bill for the Assurance of a Joynture, to Lucy Countess of Bedford, Committed, and the meeting to be in the Exchequer-Chamber upon Wednesday, in the Afternoon, at two of the Clock.

A Bill for the Observation of certain Orders in the Exchequer, set down under her Majesties Privy-Seal.

And the Bill to Enable Mr. Edmond Markham, to dispose of his Lands whereof he is Tenant in Tayl, as other Tenants in Tayl, by the Laws and Statutes of this Realm, may do.

The question upon the Checquer-Bill, grew, Whether before Commitment, the Counsel of the Clerks of Mr. Osborne's Office should be had, in respect of Mr. Wingfeild moved, The old Officers might be heard, by their Council.

Mr. Bacon said: *'I did rather yeildingly accept, than forwardly imbrace this labour imposed upon me. I Wish the Council may be heard, because we shall have the more time of consideration, what to do. There is nothing so great an impediment to certainty of prevailing, as hast and earnestness in prosecuting ; I therefore think it fit, that they may have time Assigned them to proceed by Council.*

Mr. Martyn said: *'Mr. Speaker, Here is a new Bill sprung out of the old ; it hath a smooth face, and I think the inward part of the Bill is answerable to the Exterior. I am utterly against that they should have Council ; they have had time enough already to consider of it. If their Council be now without, it were good we heard them ; if not, I hold it best to proceed to the Question. Then the house cried, To the Question for Commitment ; and it was Committed : and it was agreed, that they should have their Counsel there.*

Mr. Martyn.

Then the Question was, *when the Commitment should be ?* Some said this Afternoon, others Monday ; but being put to the

R r r

Question,



An. 1601.

Question, the House was divided, and the *Y, Y, Y*, were 98, and the *Noes*, 181. and so Monday was agreed on.

*At the Commitment, in the Afternoon, touching  
Monopolies.*

Sir Edm. Stan-  
hop against  
Patentees.

'Sir Edward Stanhop informed the House, of the great Abuse by the Patentee for Salt in his Country; that betwixt *Michaelmas* and *Saint Andrews* tide, where Salt was wont, before the Patent, to be sold for Sixteen pence a Bushel, it is now sold for Fourteen and Fifteen shillings a Bushel; but after the Lord President had understood thereof, he Committed the Patentee, who caused it to be sold as before. This Patent was granted to Sir Thomas wilks, and after to one Smith. To *Lynn* there is every year brought at least Three Thousand weight of Salt: and every weight, since this Patent, is enhanced Twenty shillings; and where the Bushel was wont to be Eight pence, it is now Sixteen pence. And, I dare boldly say it, if this Patent were called in, there might well be Three Thousand Pounds a year saved in the Ports of *Lynn*, *Boston*, and *Hull*. I speak this of white Salt.

Mr. Fr. Bacon  
against the  
Bill, but  
Moves to go  
by way of Pe-  
tition.

Mr. Francis Bacon said: 'The Bill is very injurious, and ridiculous: Injurious, in that it taketh, or rather sweepeth away her Majesties Prerogative; and Ridiculous, in that there is a Proviso, That this Statute shall not extend to Grants made to Corporations. That is a gull to sweeten the Bill withall, it is only to make Fools Fond. All men of the Law know, that a Bill which is only Expository to Expound the Common-Law, doth Enact nothing, neither is any Proviso good therein. And therefore the Statute of 34. Hen. 8. of Wills, (which is but an Act expository of the Statute of 32. Hen. 8. of Wills) touching Sir John Bonfords Will, was adjudged void. Therefore I think the Bill unfit, and our proceedings to be by Petition.

Mr. Solicitor's  
Account of  
the Queen's  
intentions.

Mr. Solicitor Fleming said: I will briefly give you an account of all things touching these *Monopolies*: Her Majesty, in her provident care, gave Charge to Mr. Attorney and my self, That speedy and special course, may be taken for these Patents. This was in the beginning of *Hillary*-Term last. But you all know the danger of that time, and what great Affairs of importance happen'd to prevent that business. Since that, nothing could be done therein for want of Leisure.

Sir Rob. Wroth.

Sir Robert Wroth said: 'I would but Note, Mr. Solicitor, That you were charged to take Care in *Hillary*-Term last. Why not before? There was time enough ever since the last Parliament; I speak it, and I speak it boldly, These Patentees are worse than ever they were. And I have heard a Gentleman affirm in this House, That there is a Clause of Reversion in these Patents. If so, what needed this stir, by *Quo warranto*, and I know not what? when it is but to send for the Patents, and cause a redelivery.

'There have been diverse Patents granted since the last Parliament;

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liament; these are now in being, viz. The Patents for Currants, Iron, Powder, Cards, Hornes, Oxe Shin-bones, Traine Oyle; Lifts of Cloath, Asbes, Bottles, Glasses, Baggs, Shreds of Gloves, Aniseed, Vinegar, Sea-Coales, Steele, Aqua-vita, Brusbes, Pots, Salt, Salt-Petre, Lead, Accedence, Oyle, Transportation of Leather, Callamint-stone; Oyle of Blubber, Fumothoes, or dried Pitchers in the smoak, and divers others.

Upon Reading of the Patents aforesaid, Mr. Hackwell of *Lincolns-Inn* stood up, and asked this, Is not Bread there? Bread, quoth another? This voice seems strange quoth a third: No quoth Mr. Hackwell, but if order be not taken for these, Bread will be there, before the next Parliament.

Mr. Hackwell.

Mr. Townshend of *Lincolns-Inn* (the Collector of this Journal) seeing the disagreement of the Committees, and that they could agree upon nothing, made a Motion to this effect: First, to put them in mind of a Petition made the last Parliament, which though it took no effect, we should much wrong her Majesty, and forget our selves, if we should think to speed no better in the like Case now; because there was a Commitment for this purpose, and the Committees drew a Speech, which was deliver'd by the Speaker word for word at the end of the Parliament. But now, we might hope, that by the sending of our Speaker, presently after such a Committee, and Speech made, with humble Suit, not only to Repeal all Monopolies Grievous to the Subject; but also, that it would please Her Majesty to give us leave to make an Act, that they might be of no more force, validity or Effect, than they are at the Common Law, without the strength of her Prerogative: which though we might now do, and the Act being so reasonable, we did assure our selves Her Majesty would not deny the passing thereof; yet we her Majesties Loyal and Loving Subjects, would not offer without Her Privy or Consent, (the Cause so nearly touching Her Prerogative) or go about the doing of any such Act. And also, that at the Committee, which should make this Speech, every Member of this House, which either found Himself, his Town, or Country grieved, might put in, in fair Writing, such Exceptions and Monopolies as he would justify to be true. And that the Speaker might deliver them with his own hand, because many hinderances might happen.

Mr. Townshend.

Mr. Francis Bacon, after a long Speech, Concludeth thus in the end: Why you have the readiest course that could be possibly devised, I would wish no further Order to be taken, but to Prefer the Wise and Discreet Speech made by the young Gentleman, even the youngest in the Assembly, that last spake; I'll tell you, That even *ex ore Infantium & lactantium*, the true and most certain Course is propounded unto us.

Mr. Bacon.

An. 1601.

So the House parted, and agreed to meet on *Monday* in the afternoon; at which time, all the said Matters passed.

22.

*Sunday November 22.*

23.

On *Monday November 23.* An Act to Restraine the Abuse in Tayntoring, and other Abuses in Clothing.

The Bill for Hospitals, was this day read.

A Bill for Dreining of *Grounds* and *Fenns*, preferr'd by Mr. *wingfeild*.

The Bill for Mr. *Markham* was brought in: And for as much as the Purport of the Bill seemed to the Committees to be dangerous, to the Disinheriting of the Children of the first Wife of the said Mr. *Markham*; therefore the Committee thought the Bill, in Equity, unfit to be Passed, and without Amendment have returned it to the House.

The Bill for enabling of *Anthony Manley*, Esquire, to sell certain Lands, this Day Read, and Ordered to be Committed.

There was a Gentleman that sat by me, which shewed me a Paper, in which was contained the Discommodity of divers Patents, called *Monopolies*. First, of *Steel*, where it hath been sold to Mr. *Rowland Heyward* in *London*, in former times, for *Twelve Pounds, Ten Shillings* the Barrel; it is now sold for *Nineteen Pounds*. Besides, it is mixt, and worse than the Steel in former times; and where it hath been but at *Two Pence Half-Penny* the Pound, before the Patent, it is now at *Five Pence* the Pound. And where *Two Thousand* Poor people were maintained, by Working of Steel, and Edge-Tooles, and might well live by Working thereof at *Two Pence Half-Penny* the Pound, they are now not able, by reason of the Price thereof, to work; but now many go a Begging, because the Faggot hath also less Weight, to the utter undoing of all Edge-Toole-Makers.

Of *Starch*: Where other Countries have heretofore spent their Corn and Fuel in making of it, and we had it then at *Eighteen Shillings* a Hundred Weight, and Her Majesty Received great Custom thereby; now do we spend Corn and Fuel extraordinary in making thereof, which might well be spared, and it is now at *Fifty and Fifty Six Shillings* a Hundred; and her Majesty hath great loss of her Customes, by making it within the Realm.

Playing Cards: Every Subject that would, before the Patent, might make them, which was a great help to those that were brought up in the Trade. And where in former times they were sold at *Twenty Pence* a Dozen, now they are at *Three Shillings*, and *Three Shillings Two-Pence* the Dozen. And before, every Subject might see what he bought, and make choice to his liking. Now they are Sealed, and no Man can see what he Buys. Besides, the Deputies and Substitutes of these Patentees, will search Houses by force of Letters of Assistance, of Lords of the *Privy-Council*, under Colour of Cards being there. And if they find a pair or two, they will carry Men by some Pursuivant

Inconveniences arising from the Monopolies, in raising the Prices of several Goods.



suivant Fifty Miles or more ; and threaten them by Imprisonment, if they will not Ransom themselves by a Ransom of Money.

*Stone-Bottles, Pots, Heath-Brushes,* are double and treble the Price they were at, before the Patent.

*Glasses* ; Where before they were had from beyond the Seas, and very cheap, with much Saving of Wood ; they are now risen from *Sixteen Pence* to *Five Shillings* the Dozen, and from *Three Shillings Four Pence*, to *Nine Shillings*, Besides the loss of Custome to her Majesty, and expence of many Thousands of Billets, every *Twenty Four Hours*. This Patent is a great discouragement to the Masters of Ships, because the Substitutes of the Patentees will Imprison them, until they will become bound to bring no *Glasses* from beyond the Sea. Besides, there is continual spoile of *Woods* in *Sussex*, and else-where by *Glass-making*.

*Beere-Eager, Vinegar, Aqua-Vita,* be it never so bad, if the Patentee hath his Imposition, it passeth for good: The like for *Sea-Coals, Salt, Ordnance, Tinn, Leather,* and *wines*.

A Bill for the true Making of Cloth ; after it was once Read, one stood up, and said :

*Mr. Speaker, I think this Bill both Idle and Injurious ; Idle, in respect that a Number of Bills are to the same Effect already: Injurious, in that it layeth a greater Tax upon every Piece of Cloth, than Her Majesty's Custom desireth.*

*We are all here like Physicians ; who, when they are to minister Physick to the Sick Patient, and have many Simples before them, be Distracted, and make a Mixture of so many, that they Kill the Patient: So we, Mr. Speaker, if by good Providence we look not to it, shall not Redress the waining and decrepid Estate of Clothing, if we do not at a Commitment, carefully consider of all the Bills. There are now Five of these Bills, concerning Clothing: And I pray also, This, with the rest may be committed to the former Committees, to consider of.*

The Bill of *Monopolies* was read ; to which, *Mr. Spicer* spake, and said :

*I think it were good this Bill were Committed. I am no Apostate, but I stick to my former Faith ; and upon that, asserted the first Faith I was of, That by way of Petition will be our safest Course: For it is to no purpose, to offer to tie Her Majesty's Hands by way of Act of Parliament, when She may loose Her Self at Her Pleasure. I think it were a Course nec Gratum, nec Tutum ; and therefore, the best way, to have a Committee to consider what Course shall be proceeded in: For I doubt not, but that we are all Agreed on the Reformation, though not on the Manner.*

*Mr. Davies* said: God hath given Power to Absolute Princes, which he Attributeth to Himself ; *Dixi quod Dii estis: And, as Attributes unto them, he hath given them Majesty, Justice, and Mercy. Majesty, in respect of the Honour that the Subject sheweth unto his Prince. Justice, in respect he can do no wrong: Therefore, the Law is, 1 Hen. 7. That the King cannot commit a Disseisin. Mercy, in respect he giveth Leave to his Subjects, to*

S f f

Right

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A Bill for true Making of Cloth. One opposes it.

Mr. Davies.

An. 1601.

Secretary Cecil  
against the  
Bill.

*Right themselves by Law. And therefore, in the 44<sup>th</sup> Ass. an Indictment was brought against Bakers and Brewers; for that, by colour of License, they had broken the Assize: wherefore, according to that Precedent, I think it most fit to Proceed by Bill, and not by Petition.*

Mr. Secretary Cecil said: 'If there had not been some Mistaking, or Confusion in the Committee, I would not have now spoken. The Question was, *Of the most convenient way to Reform these Grievances of Monopolies.* But, after Disputation of that Labour, we have not Received the expected Fruit.

'If every Man should take Leave to Speak for the Common Subject, I am afraid, in these vast Powers of our Minds, we shall Dispute the Project and Reformation quite out of Doors.

'This Dispute draws Two great Things in question: *First, The Prince's Power. Secondly, The Freedom of English-Men.* I am Born an *English-Man*, and a Fellow-Member of this House; I would desire to Live no Day, in which I should Detract from Either.

'I am Servant to the *Queen*; and before I would speak, or give my consent to a Case that should debase Her Prerogative, or abridge it, I would wish my Tongue cut out of my Head. I am sure there were Law-Makers, before there were Laws.

'One Gentleman went about to possess Us with the Execution of the Law, in an Antient Record of 50 *Edwardi* 3. Likely enough to be True in that Time, when the King was afraid of the Subject. Though this Presence be a Substance, yet it is not the whole Substance of the Parliament; For in former Times, all Sate together; as well King, as Subjects: And then, it was no Prejudice to His Prerogative, to have such a Monopoly Examined.

He gives the  
Speaker a Cau-  
tion.

'If you stand upon Law, and dispute of the Prerogative, hark what *Bracton* saith; *Prerogativam nostram nemo audeat disputare, &c.*

'For my own Part, I like not these Courses should be taken. And you, Mr. Speaker, should perform the Charge Her Majesty gave unto you at the Beginning of this Parliament, *Not to receive Bills of this Nature.* For Her Majesty's Ears be open to all our Grievances, and Her Hands stretched out to every Man's Petition.

'For the Matter of Access, I like it well, so it be first moved, and the Way prepared. I had rather all the Patents were burnt, than Her Majesty should lose the Hearts of so many Subjects, as is pretended She will.

'I will tell you what I think of these Monopolies; I take them to be of Three Natures: Some of a Free Nature, and Good; some Void of themselves; some both Good, and Void.

' For

‘ For the First; For the *Prince* to Dispense with Penal Laws: That is left to the Alteration of Sovereignty; I mean, Powerful and Irrevocable.

‘ For the *Second*: As to grant that which taketh from the Subject his Birth-right; and such Men as desire such Patents, I count them *Misdoers*, and wicked and wilful Offenders.

‘ For the *Third*: As the License for the Matter of *Cards*, &c. And therefore, I think it very fit to have a New Commitment, to consider what Her Majesty may grant, and what not; And what Course we shall take, and upon what Points, &c.

Dr. Stanhop, and Dr. Hone, were sent from the Lords with a Bill, Entituled, *An Act for the Uniting of Eye and Dunfden, to the Mannor of Sunning.*

Mr. Mountague said: Mr. Speaker, I am loth to Speak what I know, lest perhaps I should Displease. The Prerogative Royal is that which is now in question, and which the Laws of the Land have ever allowed and maintained. My Motion then shall be but this: That we may be Suitors unto Her Majesty, That the Patentees shall have no other Remedies, than by the Laws of the Realm they may have; and that our Act may be drawn accordingly.

Mr. Martin said: I think the Common Grievance, and the Queen's Prerogative, have so Inspired the Gentleman that last spake, (whom for Reverence sake, I must needs name, Mr. Mountague) to make that Motion he hath done. And because the House seems greatly to Applaud it, may it please you, Mr. Speaker, to put it to the Question, Whether that shall be Determined of, at the Committee.

So it was again Committed to the Afternoon; and agreed, That as well That, as Mr. Secretary's Motion, should be Determined upon by the said Committee.

Mr. Francis Moore brought in a New Bill against Pluralities of Benefices, with the same Title as the former.

*At the Committee in the Afternoon, touching Monopolies.*

A Gentleman shewed me a Note of certain Monopolies, and to whom Granted; viz.

1. To Sir Henry Nevill, the Patent for Ordnance.
2. To Simon Farmor, the Patent for Lists, Shreads, and Horns to be Transported.
3. To Henry Noell, the Patent for Stone-Pots and Bottles.
4. To Brian Ansley, the Patent for Steel.
5. To Elizabeth Matthews, the Patent of Oyl of Blubber.
6. To Richard Drake, the Patent for Aqua-Composita, and Aqua-Vite.
7. To Michael Stanhopp, the Patent for Spanish-Wools.
8. To Thomas Cornwallis, a License to keep unlawful Games.
9. To Mr. Carr, a Patent for Brewing of Beer to be Transported.

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Mr. Mountague.

Mr. Martin.

A List of certain Monopolies, and to whom Granted.



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10. To John Spillman, a Patent to make Paper.

11. To Edward Darcy, a Patent for Cards.

12. To Mr. John Packington, a Patent for Starch.

13. To Sir Walter Rawleigh, a Patent for wines.

The Patent for Bottles, was lately made void by Judgment in the Exchequer.

Mr. Davies.

Mr. Davies moved the House first: That he for his part, thought the Proceeding by Bill to be most Convenient; for the Precedent in the 50 Edward 3. warranteth the same: And therefore, let us do Generously and Bravely, like Parliament-Men; and our selves send for Them, and their Patents, and Cancel them before their Faces; Arreign them, as in times past, at the Bar, and send them to the Tower; there to remain, until they have made a good Fine to the Queen, and made some part of Restitution to some of the Poorest that have been oppressed by them. And withal, Laughed.

Mr. Martin.

Mr. Martin, after a long Speech made, touching these Monopolies, he thus concluded: And therefore, the Gentleman that last spake, spake most Honestly, Learnedly, and Stoutly. Yet thus much I must needs say, His Zeal hath masked his Reason; and that, I think, was the Cause of his fervent Motion; which I desire may be cooled with a Petition, in most dutiful Manner, and humblest Terms, most fitting to the Majesty of the Queen, and the Gravity of this House. So, I doubt not, but our Actions will have prosperous, and successful Event.

Secretary Cecil reads a List of Patentes, and their several Patents.

Mr. Secretary Cecil read a Paper of Three or Four Sheets openly, of all the Patents granted since 16 Regine. And first he read, in the 17th. of the Queen, A Patent to Robert Sparke, to make Spangles, and Oves of Gold.

18 Regine, A Patent to Sir Edward Dier, To Pardon, Dispenfe, and Release all Forfeitures and Abuses committed by Tanners, contrary to the Statute.

19 Regine, A Patent to William Wade, Esquire, & aliis, For the making of Sulphur, Brimstone, and Oyl.

A Patent to James Chambers, To give License for Tanning, contrary to the Statute.

30 Regine, A Patent to Sir Walter Rawleigh, Of Tonnage and Poundage of Wines.

To John Asbley, & aliis, A Patent, For Benefit of Forfeiture of Buying of S—.

To William Watkins, & aliis, A Patent, To Print Almanacks.

A Patent to——To Print David's Psalms.

A Patent to one Kirke, & aliis, To take the Benefit of Sowing Flax and Hemp.

A Patent to Richard Welch, To Print the History of Cornelius Tacitus.

A Patent to——To Transport Iron and Tynn.

A Patent to John Norden, To Print Speculum Britannie.

A Patent to——To Print the Psalms of David, according to the Hebrew-Text.

A Patent to certain Merchants, To Traffick.

The List of Patents, and Patentees.

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A Patent to Sir Jerom Bowes, To make Glasses.

A Patent to ——— To Provide and Transport Lists and Shreds.

Anno 35 Regina, A Patent to Henry Noell, To make Stone-Pots, &c.

A License to William Aber, To Sow Six Hundred Acres of Ground with Oade.

A Patent to Mr. Heale, To provide Steel beyond the Seas.

A Patent to ——— To have One Shilling upon ever Hoghead of Pilchards.

A Patent to ——— To have the Benefit of Forfeiture by Gigmills.

A Patent to Elizabeth Mathews, For Train-Oyl of Blubber.

A Patent to Richard Drake, For Aqua-Composita, Aqua-Vita, Vinegar, and Alegar.

A Patent to Robert Alexander, For Aniseeds.

A Patent to Edward Dacry, For Steel.

A Patent to Michael Stanhop, For Spanisb-wools.

A Patent to Valentine Harris, To Sow Six Hundred Acres of Ground with woade.

A Patent to ——— To take Benefit of the Statute for Gashing of Hides, &c.

A Patent to Mr. Cornwallis, For unlawful Games.

A Patent to Henry Singer, Touching Printing of School-Books.

A License to Arthur Bassaney, To Transport Six Thousand Calf-Skins.

A Patent to Edward Darcy, To Provide, Bring, Make, and Utter Cards.

A Patent to Thomas Morley, To Print Songs in Parts.

A Patent to Sir John Packeington, For Starch and Asbes.

A Patent to ——— To make Mathematical Instruments.

A Patent to ——— To make Salt - Peter.

A Patent to Thomas Wight, and Bonham Norton, To Print the Law-Books.

A Patent to ——— For Livens of Fishes.

A Patent to ——— For Polldavis, for Fishing.

After the Reading of which Note, nothing was Concluded upon; but a Meeting appointed on Tuesday in the Afternoon.

On Tuesday, Novemb. 24. A Bill declaring the Lordship of Llandan, alias Llandaugh, to be within the County of Carmarthin, was Read the second time, and Committed; and the Time and Place appointed for their Meeting, to be to Morrow in the Afternoon, in the Middle-Temple-Hall.

A Bill to Enable Edward Molenex, Esq; to sell Lands for the Payment of Debts and Legacies.

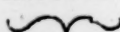
A Bill for Painting, was Read and Committed.

A Motion was made by Mr. Doyley of Lincolns-Inn, That be-

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fore

An. 1601.



fore Mr. *Moleneux's* Bill was put to the Question, his Council for the Passage thereof, might be Heard; as also, Mr. *Moleneux* himself, (a Councillor of *Grays-Inn*) who came to spake against the Bill. And they were admitted to the Bar to speak; where it was alledged against the Bill, by the said Mr. *Moleneux* of *Grays-Inn*; That it was drawn of purpose to Defeat himself, and his Brother, and a few Children-Infants, and Fatherless; which could not be Answer'd by Mr. *Hitcham*, of Council with the other *Moleneux* for the Bill: Which Reason quashed it. And so, after they were put out, the Bill was put to the Question for Ingrossing; and the greater Voyce was, *No*. So it was Rejected.

Sir *Francis Hastings* brought in the Bill against Ale-Houses, and Tippling-Houses.

Sir *Edmund Morgan*, a Member of this House, was served with a Subpœna, at the Suit of one *Lemney*; who was sent for by the Serjeant.

Mr. *Pemberton*, another Member of this House, was also served with a Subpœna, at the Suit of one *Mackernes*; who was also sent for by the Serjeant.

A Bill to prevent Double-Payment of Debts, upon Shop-Books.

Mr. *Phillips* shews the Danger of an Old Statute, touching Charitable Uses.

Mr. *Phillips*, shewed the Great danger that might insue, by the Statute made 39 Regina, Cap. 6. Intituled, An Act touching Charitable Uses: which Statute was made to a good intent; but yet it may tend to the setting a Foot, in all the Monasteries in old time, and other Religious Houses, as also to the searching into the estate of divers particular Subjects, in this Realm: First, In respect of the Title; Secondly, In respect of the Preamble; Thirdly, In respect of the Body; And Fourthly, In respect of the Conclusion, which appeared somewhat plain to the House, upon the Recital of the words of the Statute: And therefore, he thought it a Duty in Conscience, to offer to the Consideration of this House, a Bill entituled, An Act to Explain the true Meaning of the Statute made 39 Regina, cap. 6. Which was presently Read.

After some loud Confusion in the House, touching some Private Murmur concerning Monopolies;

Mr. Secretary Cecil said: The Duty I owe, and my Zeal to Extinguish Monopolies, makes me to speak now, to satisfy their Opinions that think there shall be no Redress of these Monopolies.

Order is Attended with these Two Hand-Maids, Gravity and Zeal; but Zeal with Discretion. I have been, though Unworthy, a Member of this House, in Six or Seven Parliaments; yet never did I see the House in so great Confusion.

I believe, there was never, in any Parliament, a more tender Point handled, than the Liberty of the Subject, and the Prerogative Royal of the Prince: What an Indignity then is it to the Prince, and Injury to the Subject, that when any is Discussing this Point, he should be Cryed and Coughed down? This is more fit for a Grammar-School, than a Parliament. I have been a Councillor of State these Twelve Years; yet never did I know it subject to Construc-

on

Secretary Cecil about Monopolies.



on of Levity or Disorder: Much more ought we to be, in so Great and Grave an Assembly. why? we have had Speeches, and Speech upon Speech, without either Order or Discretion.

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One would have had us to proceed by Bill, and see if the Queen would have denied it. Another, that the Patents should be brought here before Us, and Cancelled; and this were Bravely done. Others would have Us to proceed by way of Petition; which of Both, doubtless is Best.

But for the First, (and especially, for the Second) It is so Ridiculous, that I think, we should have had as bad Success, as the Devil himself would have wished in so good a Cause. why? if Idle Courses had been followed, we should have gone (forsooth) to the Queen, with a Petition to have Repealed a Patent or Monopoly of Tobacco-Pipes [Which Mr. wingfeild's Note had] and I know not how many Concepts.

But I wish every Man to rest satisfied, until the Committees have brought in their Resolutions, according to your Commandments.

A Bill for making the Parks of Noblemen, and Gentlemen of the Realm, for the Keeping and Breeding of Horses.

On Wednesday, Novemb. 25. A Bill for Enlarging a Branch of the Statute of 25 Eliz. Cap. 8. touching Galling of Hides.

25.

A Bill concerning the Assize of Fuel.

A Bill for the Levying of Fines with Proclamation, of Lands within the County of the City of Chester.

A Bill for the Re-uniting of Eye and Dunsden, to the Mannor of Sunning; read the first Time.

A Bill For the enabling of Edward Nevil, of Burling in the County of Kent Esq; and of Sir Henry Nevil his Son and Heir Apparent, to sell certain Coppy-hold-Lands.

This Act was brought in after Commitment, by Sir Edward Hobby, who at the delivery thereof, shewed to the House, That they had put out Esq; in the Title, in respect that they would not leave such a Title as Esq; for a Monument of Record in Parliament, lest perhaps, it might in After-ages be a prejudice to the Title of the Lord Abergavenny. Also we have (said he) left out all other Words, and Clauses touching that Point. As also have added a Proviso, For saving of the Right of the two Mr. Vanes, Sons to the Lady Vane, because the Elder of them layeth Title to the Barony. And thus they both being at the Committee, with their Council, have given consent to the Bill: The Gentlemen are both in the House, and can testify as much.

Therefore, I think it good, it were put to the Question for Ingrossing. And so it was; and all said, I, I, I.

The Exchequer-Bill was read.

The Bill against Trifling Suits, was put to the Question. And ordered to be Ingrossed.

The Bill to prevent Perjury and Subordination of Perjury, and unnecessary expences of Suits in Law.

An. 1601.

The Speaker  
delivers a  
Message from  
the Queen.

A Bill to prevent the double Payment of Debts upon Shop-Books, which was put to the Question for the Ingrossing. And moſt ſaid *No*.

Mr. *ſpeaker*, after a Silence (and every one marveling why the *ſpeaker* ſtood up) ſpake to this Effect:

‘It pleaſed Her Maſteſty to command me to attend upon Her ‘Yeſterday in the Afternoon: From whom, I am to deliver ‘unto you all, Her Maſteſties moſt gracious Meſſage, ſent by my ‘unworthy ſelf.

‘She yeildeth you all hearty thanks, for your care, and ſpecial regard of thoſe things that concern Her State and Kingdom, and Conſequently our ſelves; whoſe Good She hath alwayes tendred as Her own: For our ſpeedy Reſolution in ‘making ſo haſty and free a Subſidy; which commonly ſucceeded and never went before our Councils.

‘For our Loyalty, I will aſſure you, with ſuch and ſo great ‘Zeal of Affection She uttered, and ſhewed the ſame, that to ‘expreſs it with our Tongues we are not able, neither our Hearts ‘to conceive it. It pleaſed Her Maſteſty to ſay unto me, That ‘if She had an Hundred Tongues, She could not expreſs our ‘heartly good Wills: And further, She ſaid, That as She had ‘ever held our Good, moſt dear; ſo the laſt Day of ours, or ‘Her Life, ſhould Witneſs it. And that if the leaſt of Her Subjects were Grieved, and Her ſelf not Touched, She appealed ‘to the Throne of Almighty God; how careful She hath been, ‘and will be to defend Her People from all Oppreſſion.

‘She ſaid, That partly by Intimation of Her Council, and ‘partly by divers Petitions that have been Delivered unto Her, ‘both going to Chappel, and alſo Walking abroad; She underſtood, That divers Patents that She had granted, were grievous unto Her Subjects, and that the Subſtitutes of the Patentes, had uſed great Oppreſſion. But, She ſaid, She never ‘aſſented to Grant any thing that was *Malum in ſe*. And if in ‘the Abufe of Her Grant, there be any thing that is Evil, ‘which She took Knowledge there was, She, Her ſelf, would ‘take preſent Order for Reformation thereof.

‘I cannot Expreſs unto you, the apparent indignation of Her ‘Maſteſty, towards theſe Abuses. She ſaid, Her Kingly Prerogative was tender, and therefore deſireth us not to ſpeak or ‘doubt of Her careful Reformation. For, She ſaid, her Commandement given a little before the late Troubles (*meaning the ‘Earl of Eſſex’s Matters*) by the unfortunate event of them, was ‘not ſo hindred, but that ſince that time, even in the miſt ‘of Her moſt weighty and great Occaſions, She thought upon ‘them. And that this ſhould not Suffice, but that further Order ſhould be taken preſently, and not *In futuro*. (For that ‘alſo was a Word which I take it, Her Maſteſty uſed) and that ‘ſome ſhould preſently be Repealed, ſome Suspended, and not ‘put in Execution: but ſuch as ſhould firſt have a Trial according to the Law, for the Good of Her People.

‘Againſt the Abuses, Her Wrath was ſo Incenſed, that, She ‘ſaid,

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'said, She neither would, nor could suffer such to escape with  
'Impunity.

'So to my unspeakable Comfort, She hath made me the  
'Messenger of this Her gracious thankfulness, and care.

'Now we see, that the Axe of Her Princely Justice is put to  
'the Root of the Tree. And so we see Her Gracious goodness  
'hath prevented our Councils, and Consultations; for which  
'God make us thankful, and send her long, and long to Reign  
'amongst us.

'If through my own Weakness of Memory, Want of Utte-  
'rance, and Frailty of my self, I have omitted any thing of  
'Her Majesties Commands, I do most humbly crave pardon for  
'the same; And do beseech, the Honourable Persons, which  
'do assist this Chair, and were present before her Majesty, at  
'the Delivery hereof, to supply and help my Imperfections,  
'which, joyned with my Fear, have caused me, no doubt, to  
'forget something that I should have Delivered unto you.

After a little Pause and Silence, the Council talking one  
with another, Mr. *Secretary Cecil* stood up, and said.

'There needs no Supply of the Memory of the *Speaker*; but  
'because he desires some that be about him, to aid his Deli-  
'very, and because the rest of my Fellows be Silent; I will take  
'upon me to Deliver something, which I both then heard and  
'since know.

Secretary *Cecil*  
Speaks to  
the same pur-  
pose.

'I was present with the rest of my Fellow-Councillours, and  
'the Message was the same, that hath been told you. And the  
'cause hath not proceeded from any particular course thought  
'upon, but upon private Information of some particular Per-  
'sons. I have been very Inquisitive after them, and of the  
'Cause, why more importunity was now used, than before;  
'which I am afraid comes by being acquainted with some course  
'of our Proceeding in this House

'There are no Patents now of Force, which shall not pre-  
'sently be revoked; for what Patent soever is Granted, there  
'shall be left, to the overthrow of that Patent, a Liberty agree-  
'able to the Law. There is no Patent, ~~but~~ if it be *Malum in se*,  
'the *Queen* was ill apprised in Her Grant; but all to the gene-  
'rality are unacceptable. I take it, there is no Patent where-  
'of the Execution thereof, hath been Injurious; would that had  
'never been Granted. I hope there shall never be more. (All  
'the House said, *Amen*.)

'In particular, most of these Patents have been supported  
'with Letters of Assistance from Her Majesties *Privy Council*;  
'but whosoever look upon them, they shall find they carry no  
'other Style than with Relation to the Patent. I dare assure  
'you, that from hence-forth there shall be no more Granted;  
'and how many soever have been already Granted, they shall  
'all be revoked.

'But, to whom do they repair with these Letters? To some  
'out-house, to some desolate Widow, to some simple Cottage,  
'or poor ignorant People; who rather than they would be trou-

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'bled,



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bled, and undo themselves by coming up hither, they will give any thing in Reason for these *caterpillars* Satisfaction. The Notice of this, is now publick. And you will, perhaps, judge this to be a Tale to serve the Time. But I would have all Men know thus much, That it's no jesting with a Court of Parliament; neither dares any Man (for mine own part I dare not) so much abuse all the Subjects of this Kingdom, in a Matter of this Consequence and Importance.

I say therefore, there shall be a Proclamation general through the Realm, to notify Her Majesty's Resolution in this behalf. And because you may Eat your Meats more Savourly than you have done; every Man shall have Salt as cheap as he can buy it, or make it, freely without danger of that Patent, which shall be presently Revoked. The same Benefit shall they have which have cold Stomacks, both for *Aqua-Vite*, and the like: And they which have weak Stomacks, shall have *Vinegar* and *Aleagar* set at Liberty: *Train-Oyl* shall go the same Way; *Oyl* of *Blubber* shall March in the same Rank: *Brushes* and *Bottles* indure the like Judgment. The Patent for *Poll-davis*, if it be not called in, it shall be. *Oade*, which as I take it, is not restrained either by Law or Statute, but only by Proclamation (I mean from the Sowing thereof) though, for the saving thereof, it might receive good Disputation; yet for your Satisfaction, the Queen's Pleasure is, to revoke that Proclamation: Only She Prayeth thus much, That when She cometh in Progress to see you in the Country, She may not be driven out of your Towns, by suffering it to infect the Air too neer them. Those that desire to go Sprucely in their Ruffs, may with less charge than Accustomed, obtain their Wish; for Starch, which hath so much been Prosecuted, shall now be Repealed. There are other Patents for new Drapery, which shall be suspended, and left to Law: *Irish-Tawn*, a Matter that I am sorry there is no cause of Complaint for; for the Savageness of the People, and the War, hath Frustrated the Hope of the Patentee, a Gentleman of good Service, and Desert, a good Subject to Her Majesty, and a good Member of the *Common-wealth* (Mr. *Car-marthen*;) notwithstanding, it shall be suspended and left to the Law. The Patent for *Calf-Skins*, and *Pelts*, shall indure the Censure of the Law.

But I must tell you, There is no Reason that all should be Revoked; for the Queen means not to be swept out of Her Prerogative: I say it shall be suspended, if the Law doth not warrant it. There is another Servant of her Majesties, (Mr. *Anslow*) one of Her Pensioners, an Honest Gentleman, and a Faithful Servant; he hath the Patent for *Steel*, which once Mr. *Seal* had; these, too, because of Complaints shall be suspended. There is another, that hath the Patent of *Leather*, Sir *Edward Dier*, a Gentleman of good Desert, Honest, Religious, and Wise. This was Granted unto him *Thirty Years* ago, it crept not in by the new Mis-government of the Time; yet this shall also be suspended. The Patent for *Cards* shall be

suspended,

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'suspended, and Tryed by Common-Law. The Patent for  
'*Glasses*, which though I do least apprehend to be prejudicial  
'to the Publick Good; yet it is to be left to the Law. There is  
'another Patent for *Salt-Petre*, that hath been both Accused and  
'Slandered: It digs in every Man's House; it removes the In-  
'habitant, and generally troubleth the Subject. For this, I  
'beseech you, be Contented; yet I know, I am too blame to  
'desire it, being Condemned by you *in foro Conscientiæ*: But I  
'assure you, it shall be fully sifted, and tryed *in foro Judicii*.  
'Her Majesty meaneth to take this Patent to Her self; and ad-  
'vise with Her Council, concerning the same: For, I must tell  
'you, The Kingdom is not so well furnished with Powder, as  
'it should be. But, if it be thought fit (upon Advice) to be  
'Cancelled, Her Majesty commanded me to tell you, *That though*  
'*She be willing to help the grave Gentleman that hath that Patent;*  
'*yet out of the abundant Desire that She hath, to give you compleat*  
'*Satisfaction, it shall be Repealed.*

'This hath come to the Ear of the *Queen*, and I have been  
'most Earnest to search for the Instrument; and as a Council-  
'lor of State, have done my best Endeavour to salve this Sore:  
'But I fear, we are not secret amongst our selves. Then must  
'I needs give you This, for a future Caution; *That whatsoever*  
'*is subject to a Publick Exposition, cannot be Good.* Why, *Par-*  
'*liament-Matters* are ordinarily Talked of in the Streets. I have  
'heard my self, being in my Coach, these Words spoken aloud:  
'*God prosper those that further the Overthrow of these Monopolies!*  
'*God send the Prerogative touch not our Liberty.*

'I will not wrong any so much, as to imagine he was of this  
'House; yet let me give you this Note, That the Time was ne-  
'ver more apt to Disorder, or make Ill Interpretations of Good  
'Meanings. I think those Persons would be glad that all So-  
'vereignty were Converted into Popularity: We being here,  
'are but the *Popular Bouch*, and our Liberty, the Liberty of  
'the Subject; and the World is apt to slander, most especially  
'the Ministers of Government.

'Thus much have I spoken, to accomplish my Duty, due un-  
'to Her Majesty; but not to make any further Performance of  
'the well-utter'd, and gravely and truly-deliver'd Speech of the  
'Speaker.

'But, I must crave your Favours a little longer, to make an  
'Apology for my self. I have held the Favour of this House, as  
'dear as my Life: And I have been to'd, That I deserved  
'for taxing Yesterday of the House. I protest, my Zeal to have  
'the Business go forwards in a right and hopeful Course, and  
'my Fear to displease Her Majesty by a harsh and rash Proceed-  
'ing, made me so much to lay aside my Discretion, that I said, *It*  
'*might rather be termed a School, than a Council;* or to that Ef-  
'fect.

'But, if any think by this Speech, I called him *School-Boy*,  
'he both Wrongs me, and Mistakes me. Shall I tell you what *De-*  
'*mosthenes* said to the Clamours which the *Athenians* made? That

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‘they were *Pueriles & dignos Pueris*: And yet, that was a Popular State. And, I wish, that whatsoever is here spoken, may be Buried in these Walls. Let us take Example by the Jewish Synagogue, who would alwayes *Sepelire Senatum cum Honore*; and not blaze their own Follies and Imperfections. If any Man in this House speak Wisely, we do him great wrong to Interrupt him: If Foolishly, let us hear him out; we shall have the more Cause to Tax him. And I do heartily pray, That no Member of this House, may *Plus verbis offendere, quam Concilio Juvare*.

Mr. Fr. Moore.

Mr. Francis Moore said: ‘I must confess, Mr. Speaker, I moved the House both the Last Parliament, and This, touching this Point; but I never meant (and I hope, this House thinketh so) to set Limits and Bounds to the Prerogative Royal.

‘But now, seeing it hath pleased Her Majesty of Her Self, out of the Abundance of Her Princely Goodness, to set at Liberty Her Subjects, from the Thralldom of these Monopolies; from which there was no City, Town, or Country free: I would be bold to offer in one Motion, Two Considerations to the House.

‘The First, That Mr. Speaker might go unto Her Majesty, to yield Her most Humble and Heartly Thanks; and withal, to shew the Joy of Her Subjects for their Delivery, and Thankfulness unto Her for the same.

‘The Other, Whereas divers Speeches have been made Extravagantly in this House, which doubtless have been told Her Majesty; and perhaps, all ill Conceived of by Her: I would therefore, that Mr. Speaker not only should satisfy Her Majesty, by way of Apology therein; but also, humbly crave Pardon for the same.

Mr. Wingfeild.

Mr. Wingfeild said: ‘My Heart is not able to conceive the Joy that I feel; and, I assure you, my Tongue cannot utter the same. If a Sentence of *Everlasting Happiness* had been Pronounced unto me, it could not have made me shew more outward Joy, than now I do; which I cannot refrain here to Express, (*And, as I think, he wept.*) There could nothing have been more Acceptable to the Subject, than this Message. And I verily think, That if ever any of Her Majesty’s Words were Meritorious before God, I do think these are.

‘I do agree, with all my Heart, in the First Part of the Gentleman’s Motion, that last spake; but do utterly mislike the Latter: For, it is not to be intended, we should have had so Good and Gracious a Message, if the Truth of some particular Speeches had been delivered unto Her. And now, for us to Accuse ourselves, by Excusing a Fault with which we are not Charged, were a thing (in my Opinion) inconvenient, and unfitting the Wisdom of this House.

Sir George Moore spake to the same Effect.

Mr. Fr. Bacon.

Mr. Francis Bacon spake to the same Effect also; and in the End concluded thus, *Nescio quid peccati portet hec Purgatio*.

So it was put to the Question, and concluded, That Thanks should



should be Returned by the Speaker ; and some a Dozen were named to go with him, as a convenient Number ; and Intreaty made to the Privy-Councillors, to obtain Liberty of Her Majesty, to be Admitted.

A Bill for the Mending of the Statute made 8 Eliz. cap. 11. Entituled, *An Act for the true Making of Hats and Caps* ; Read the second Time, and Committed: The Committee to meet at the Middle-Temple-Hall, on Saturday in the Afternoon.

A Bill limitting what Persons shall Make, Dye, and Retail Colour'd Clothes.

A Bill for the Furnishing Her Majesty's Navy-Royal, with good and sufficient Cordage, Read: The Substance of this Bill was the same with that the Bill of Hemp was, which hath been once Rejected this Parliament ; and it hath a Limitation, to endure to the End of the next Parliament.

After a Speech made by Mr. Fettyplace, and Mr. Johnson of Grays-Inn (The First, For the Bill ; the Other, Against it) Mr. Johnson said: Mr. Speaker, Old Parliament-Men say, A Bill once cast out, should not be read again. This Bill is the very same we once cast out ; and I think it were very good, this Bill marched, Pari pede, with the Former.

Mr. Comptroller shewed, How necessary Cordage was to the Land, and also Flax and Hemp ; which we might have in our own Land, if it happen'd, that Intercourse of Traffique were hindered in other Countries: And therefore, he wished, That a Bill of this Nature might not so slightly be Rejected ; but, that it might be once again Read, and Committed.

The House upon this Bill, was Divided: The Y, N, Y, were 70. the Noes, 102.

The Bill for Landonerer.

Mr. Secretary Cecil said: ' If I should tell you otherwise than Truth, in a Matter of so great Consequence, I should need no other Process, than my own Conscience. That to so gracious a Message, there were never returned more Infinite Thanks, we all are assured. From the Queen, I have received a short Answer, in these words: *You can give Me no more Thanks for that which I have promised You, than I can and will give You Thanks for that which You have already Performed,* (Meaning the Subsidies and Fifteens.) So inseparably are the Qualities of the Prince, and the Subject, good for the one and the other. If by true Interpretation of the Law, *Voluntas Reputatur pro facto*, You shall not need (your Good-Will being already known) use any Actual Thanks ; neither will She receive any, till by a more effectual Consummation, she hath Completed that Work. At that time, she will be well pleased to receive your Loves, with Thanks ; and to return You Her best Favours.

A Bill for the Granting of Four Subsidies, and Eight Fifteens.

On Fryday, Novemb. 27. The Bill for Norwich was Read, and

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Sir Francis  
Hastings.

Committed; the Place of Meeting, the *Exchequer-Chamber*, on Monday in the Afternoon.

Sir Francis Hastings said: 'I cannot find a better time, after so good a Bill, For the Maintenance of the Word in *Preaching*, than to move unto you a good Course for the Maintenance of *Hearing*.

'He that seeketh to please All, shall please None; and he that seeketh to please All in *God's Cause*, shall not please a Good Conscience. There is a Necessity, if the *Queen's Will* so be, that this Bill should be Preferred: For *Religion* is the Mother of *Obedience*.

'Four Exceptions have been taken to the Bill: That the *Husband* should not pay for the *Wife*, nor the *Father* for the *Son*, nor the *Master* for the *Servant*: And, That *Recusants* that pay the Penalty of *Twenty Pound* the Month, by Force of the Statute 23 *Regine*, should not be included: All these Penalties are now Excluded.

'I know some Half-Parishes, I would I could not say some Whole-Parishes, perverted by *Jesuits*, and *Seminaries*: These be of the poorer, and meaner sort of People; of whom this small Tax of *Twelve Pence* being duely Levied, will more pinch than any Law ever yet devised. And I humbly beseech, both in regard of the State of the Countries, and of our more secure Obedience to Her Majesty, it may be looked into, and Received. The Bill is Entituled, *An Act for the more speedy Coming to Church on Sundayes*.

Dr. Perkins brought in the Bill from the Committee, Entituled, *An Act for the Benefit of Merchants, and furtherance of Her Majesty's Customs*.

Mr. Speaker stood up, and wished the *House* to advise what they would do with the Prisoners that served Sir Edmund Morgan, and Mr. Pemberton with *Subpœna's*; and shewed, that they were ready at the Door to Attend.

Mr. Tate said: 'I will be bold to offer Two Precedents to this *House*, touching serving of *Subpœna's*: Yet first, let us enter into Consideration of the Force of the Privileges we now have.

'It is manifest, and I think no Man doubteth, but that heretofore the *Houses* of *Parliament* were both one, without Division; and, That the United Body of the *Parliament* had the same Privileges, and Jurisdictions which we now have. And, Though there be a Cession or Separation of the United Body; yet the Privileges do still remain entire: For, by most Antient Records of this Realm, it plainly may appear, That the same Privileges serve Both *Houses*.

'The First Precedent is in King Edward the First's Dayes, when the *Templars* had certain Tenants in the *Parliament-House*, which were behind with their Rents; and they made Humble Petition to the *King*, That they might Distrain either their Bodies, or their Goods for the same. The *King*, as it appeareth, answered, *Non videtur honestum quod aliquis de Magno Parlamento nostro*

The Speaker  
advises the  
House.Mr. Tate  
speaks to their  
Privileges.

'*nostro distringatur*. So that it seems, we are privileged from  
'all kind of Distress whatsoever.

'The Second is, One *Bago de Clare* did presume to serve a  
'Citation upon *Edmond Earl of Cornwall*, within *Westminster-  
Hall*, as he was going to the Parliament; for which he was  
'sent to the *Tower*, and made to submit himself *De alto & bas-  
so*, and a Fine of *Two Thousand Marks* imposed upon him; which  
'he truly Paid. Besides, because *Westminster-Hall* was within  
'the Liberties of the *Abby of Westminster*, he was Fined *One  
Thousand Pounds* for his Contempt; but by Mediation of the  
'*Bishops* it was reduced to *One Hundred Pounds*; which he also paid  
'to the *Abbot*.

'And our Use at this Day is not warranted by Precedents  
'of Ancient Times; For, if a Man had been Arrested upon a  
'*Subpoena*, upon Notice given, he should have had a Writ of  
'Privilege, which of course Her Majesty must have allowed.

Then he made a long Discourse upon *Trewnnard* and *Skewisb's*  
case. 35. Hen. 8. Dyer. fol. 55. pl. 8. & 36. Hen. 8. fo. 59. pl. 17.  
*Vide the Books.*

Mr. *Britten* shewed, That a Member of the House, Mr. *Phil-  
lips* the Lawyer, was served with a *Privy-Seal*, out of the Court  
of Wards, by one *Thomas Deane* servant to Mrs. *Chamberlain* a  
Widow, who when he delivered the Process, being told it  
would be taken in ill part by the House, he said, *He cared not*;  
being told the House would punish him for it, and bring him  
on his Knees, He Answered, *His Mistress would bear him out,*  
*and she made no doubt, she should find as good Friends there,*  
*as he had any.* Whereupon, the House Ordered, That she and  
her servant should be sent for by the *Serjeant*.

Mr. *Holcroft* said: 'That many Complaints were made, but  
'none Punished; many sent for, but none Appeared. There  
'was a Matter complained of, by one Mr. *Morrice* a Gentle-  
'man, that had his Man Arrested at his Heels, by the *Bay-  
liffe of Shrewsbury*, and nothing was done therein.

Mr. *Morrice* said: 'That after the House had given Order  
'to go, he came (said he) unto me to Certify him of the Par-  
'ties and Particulars; and what he hath since done he know-  
'eth not.

Mr. *Roger Owen* said, 'May it please you, Mr. *Speaker*, my  
'self being chosen for the Shire, I think it my part to Speak  
'something, seeing the Burgesses for the Town neglect their  
'Duties, in not Speaking. True it is, that such Order was gi-  
'ven by the House; but Mr. *Morrice*, and some others being  
'willing to let me have the Examination of the Matter, they  
'came before me. And upon Examination (a Wise Examination  
'on no doubt, said Mr. *Secretary Cecil*) I found he was no me-  
'nial Servant, but only a Servant that brought him part of the  
'Way, and was to go no further with him, towards the Par-  
'liament; whereupon, I think, the *Serjeant* having some No-  
'tice, staid.

Mr. *Brown* of *Grays-Inn* said: 'It seems this Matter, is shuf-  
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'fled up: I humbly pray the Serjeant may be heard; and all the House Cried *I, I, I.*

After three Congees made, the Serjeant shewed *He was with Mr. Morrice, and that he offered him to send one of his Men; but because he was in doubt of finding him, he desired some part of his Fees, or Money for his Charges, or Horses, or else he would find Horses, and get one of his Fellow-Serjeants to go, because he could not well be spared from his Service; if not, he would for his more Expedition procure a Pursuivant, to go with a Warrant under Mr. Speaker's Hand, and the Honourable of the Privy-Council in this House; for the more speedy Passage. All which Courses, Mr. Morrice rejected. I hope the House meaneth not that I should go or send on mine own Purse, or hazard the Charge my self. And therefore, I hope this will be Sufficient for my Discharge, And all the House Cried, I, I, I.*

So no more was said of that Matter; For the Speaker seemed to Favour the Cause. And therefore he presently stood up, and asked *If the House would have the Prisoners in, which Served Sir Edmund Morgan, and Mr. Pemberton?* And all said, *I, I, I.* And by this Shift, the former Matter was shuffled over. Christopher Kennel, and William Mackerles, were brought to the Bar, the one for Serving Sir Edmund Morgan, and the other Mr. Pemberton with a Subpoena.

Christopher Kennel said, 'Mr. Speaker, and the rest of this Honourable House, I am, though poor, a Gentleman Born, and known to many in this Assembly; this perhaps, may be a cause to aggravate my Offence. I hope there is no Man here, that doth not know me; and I am sure there is no Man which knoweth me, but thinketh, I would not willingly commit such an Offence as this is.

'I have been sometimes, (though unworthy) a Member of this House. And I have seen and known the Justice of this House, in the like Cases. But, Mr. Speaker, if there be either Honesty, or Christianity in me, by the same I do protest, that I knew not Sir Edmund Morgan was of the Parliament-House; which, I think he will avouch himself. And as soon as I heard it, I went to Sir Edmund's Chamber, where I found him, to reconcile my self, and make an Attonement with him. And as I was doing this, Mr. Serjeant came into the Chamber, and there Arrested me, whose Arrest I most willingly Obeyed, and do now acknowledge my self to have Offended, though not Wittingly.

'May it please you, I have served Her Majesty these 18. Years, in Her Wars; and in all my Life, I was never Trespasser in any Offence of this kind or nature. I therefore do most humbly beseech you, in your Wisdomes to have Consideration of the nature and circumstances of my Offence. And most willingly I do submit my self to your Censures.

William Mackerles, being a poor simple Fellow, could say nothing for himself, but only, That he knew not Mr. Pemberton to be of the House.

So

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So the Serjeant was commanded to Remove them both forth.

Mr. Johnson said: *Some we Pardon out of Discretion, some out of Commiseration. I think, set all Parliaments together, they will not match this Parliament with Numbers of Offences of this Nature; and only our Impunity is the Cause.*

Mr. Edmond Morgan said: *Mr. Speaker, The Gentleman is a Man of good Sort, Desert, and Carriage: And, I think, if he had known me to be of the House, he would not have served me with a Sub-pœna. Truly, he came to my Lodging, and acknowledged his great Fault, and prayed me to Extenuate it. I protest, I think he did not know I was of the House. And therefore I pray, in regard of his Person, and good Service done to Her Majesty, his Offence may be as freely Remitted by the House, as it is by Me: And that it would please you All, to Refer your Justice to Matters of greater Importance. Which was marvellously well liked by the House.*

Mr. Pemberton being asked, What he could say? whether William Mackerles knew him? He answer'd, I; and that his Man had told him, he said, *That he knew the said William was a very Knave: And therefore, he would not intreat the Favour of the House; but let him have the Justice of the House. Which Speech was generally misliked.*

Mr. Fleetwood, a Councillor of Grays - Inn, shewed unto the House, That one Holland, a Scrivener by Temple-Bar, and his Man, had Beaten his Servant; and he humbly prayed, they might be sent for. And the Question grew upon Dispute in the House, whether this were Punishable: And after, upon a Precedent vouched by Mr. Roger Owen, of 8 Hen. 4. touching a Knight of the Parliament, coming towards the Parliament, &c. it was agreed, That they should be sent for.

Mr. Kennel, and Mackerles were brought to the Bar: And after their Offence laid open by the Speaker, he said: *It pleased the House, to have so favourable Consideration of their Offence, That they should only have but Three Dayes Imprisonment, in the Custody of the Serjeant, and pay his Fees.*

Mr. Downold moved the House; First, *That the Gracious Message sent from Her Majesty, might be written in the Books of the Records of this House, [As, well it is worthy to be written in Gold] as well as written and fixed in the True Hearts of every good Subject.*

Secondly, *That the Honourable of this House, would move Her Majesty, and be an earnest Means of Speed; lest that which is now meant indeed, should by Protraction of Time be altered, or perhaps not so happily Effected.*

Mr. Secretary Cecil said: *I promised to be as Silent as I could. Amongst much Speech of the wise, there wants not much Folly; much more in Me. I do not Speak, because I do dislike the Motion of that Gentleman that last spake; but to defend the Diligence and Grace of the Queen. It is no matter of Toy, for a Prince to Notifie in Publick, a Matter of this weight. Though the Idol of a Monopoly be a great Monster, yet after Two or Three Dayes, I doubt not, but you shall see him Dismember'd. And I do protest, there is not a*

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Mr. Downold moves to have the Queen's Message entered in the Journal.

Secretary Cecil speaks to it.

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my Soul living, deserves Thanks in this Cause, but our Sovereign.

Yesterday, the Queen gave Order for the Draught of a Proclamation: I had the Minutes thereof, even now in my Hands. You all know, I went even now out of the House; then I Read it, and sent for him that should Deliver it to Her Hands. Now, what needs this new Zeal?

Mr. Davies.

Mr. Davies said: Mr. Speaker, I stood up before to Speak. It was not much I had to say, only this: That which was deliver'd unto You from Her Sacred self, I think to be Gospel; that is, Glad Tydings. And as the Gospel is written and Registered, so would I have that also: For Glad Tydings come to the Hearts of the Subjects.—This is all.

Sir George Moore.

Sir George Moore said: This eating and fretting Disease of Monopolies, I have ever detested with my Heart; and the greater the Grievance is, and hath been, the more Inestimable is the Grace of Her Majesty, in Repealing them. And therefore, to think we can sufficiently Record the same, it were to hold a Candle before the Sun, to dim the Light. And seeing that She, in Her Clemency and Care to Us, hath taken the Matter into Her own Hands, I wish the Matter may be no more spoken of, much less proceeded in.

Sir Francis Hastings.

Sir Francis Hastings said: It ought to be written in the Tables of our Hearts.

Mr. Laurence Hyde: I think that this Gentleman, that set this Motion on Foot, spake out of Joy for Her Majesty's Grace, and Zeal to have Performance of Her Promise: In that he wish'd it might be Recorded in Paper here, or in Parchment, it is not to be intended, but he also meant in our Hearts, which remain no longer than we Live; but Records remain longer, and will give a Lively Remembrance in Ages to come. And therefore, for that part of his Motion, I think it very Good, and wish the Clerk may do accordingly.

Mr. Comptroller.

Mr. Comptroller said: I think that he that moved first this Question, exceedingly forgot himself, and exceedingly detracted from Her Majesty; who, I know, out of her abundant Grace and Favour to this House, hath taken such speedy Course, as hath been delivered by my Fellow-Councillour. With that Affection She embraceth this House, that in more Familiar, than Princely sort, it hath pleased Her to say, Recommend me to the House, with Thanks for their Promise, and Care for the Common Good.

Mr. Speaker.

Mr. Speaker said: My Heart is not able to conceive, nor my Tongue to utter the Joy I conceive for Her Majesty's Gracious, and Especial Care for our Good and Welfare. Wherefore, as God said, *Gloriam meam alteri non dabo*; so may Her Majesty say in that, That She Her self will be the only and speedy Agent, for the Performance of our most Humble and Wished Desires. Wherefore, let us not doubt, but as She hath been, so She still will be our most Gracious Sovereign, and Natural Mother unto Us: whose Days, the Almighty God prolong to our Comforts. And all the House cried, Amen.



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28.

On Saturday, Novemb. 28. The Bill Intituled, *An Act for Explanation of the Statute of 39. Eliz. Cap. 6. touching Charitable Uses*, was Read the second time, to which Mr. Tate spake; and said, *amongst other things, that That could be no Law, which was contrary to the Great CHARTER of England. And this was, because it gave Power against the Great CHARTER, which giveth Challenges to Jurors, which this Law alloweth not.*

*Therefore he wished there might be a Commitment, to Consider, whether it were fit to be continued, or repealed. And the House would have appointed Monday.*

But Mr. Secretary Cecil spake: 'I told you of late, That Her Majesty accepted of our Loves, and Thanks: But She Her self, from our Selves by our Speaker, would receive none, till She had performed Her Promise; which you may see is Accomplished, and Proclamations extant in every Mans Hand. Now, because you shall not think but She will receive your Thanks, which proceed from your Loves, (which is the greatest Pillar and Pearl of Her CROWN) She hath appointed Monday in the Afternoon, for that Purpose. And, if it please you to come with a Convenient Number of Forty, Fifty, or a Hundred, they shall all be Welcome.

So the Committee was put over till Tuesday; and they went to Name those that should go: At the last, at the Lower-End of the House, they cryed, *All, All All*; and so none were Named.

Robert Holland a Scrivener at Temple-Bar, and Laurence Brook his Man, were brought to the Bar, for that they had beaten Mr. Fleetwood's Man, a Member of the House.

The whole Matter was thus related to the House, by Mr. Fleetwood, viz. That he was bound as Surety with one Mr. Heydon, for payment of Money at Holland's Shop, which was paid and told there, and the Bag, after, put up. Mr. Fleetwood on Wednesday, as he came by Holland's Shop, was called in by Holland into the Shop, and after into a Parlour; where after chafeing and swearing that there wanted Ten Pounds Six Shillings of the Sum in the Bag; and that he should not have his Bond, until he had it: Mr. Fleetwood called his man to justify the payment, who did so. Holland swore he Lyed like a Boy and a Rascal. To which the Boy Answered. *If you say so, I say, that whosoever saith there was not so much Money, he Lyeth*; With that, Holland ran at him, and thrust him into a Chimny-Corner, and would have Stabbed him, if Mr. Fleetwood had not taken the Daggar from him. The Scriveners man, who heard the busle, came in, and not only struck Mr. Fleetwood, but helped the Master to Beat the Man, and after, went again into the Shop, through which Mr. Fleetwood and his Man went forth. The Boy Mocked and jeared at him, and Mr. Fleetwood telling him, *They should both answer it in the Parliament-House*; The Boy Answered, *My Master will warrant me, I care not.* And it seemed by Holland, who could not well be heard, the aforesaid matter was true.

An. 1601.

So, after he was removed, there was a great Dispute whether he should be sent to the *Tower*, or Committed to the *Serjeant*. And, I verily think, he had gone to the *Tower*, if Mr. Fleetwood had not by chance spoken a word, touching Mr. Anthony Maynard, Secretary to the Old Lord Treasurer, which happened thus: When Holland, Kneeling at the Bar, had spoken for himself; the Speaker asking Mr. Fleetwood *What he could say?* He told all the Matter aforesaid. But as he was at the beginning, some said, *At the Bar, At the Bar*; which Mr. Fleetwood took to be a great Disgrace, and said: *Mr. Speaker, I have heard that Mr. Anthony Maynard hath given out Speeches in the behalf of this Holland; and for some special Reason, I think he is the Man that saith, At the Bar.* But the House push'd at him, and bad, *to the Matter*. He fell again to speaking of Mr. Maynard, then they did as before; and so the Third time.

Then the Speaker wished him, To leave that as a Private Matter, and so fall to the Point.

After which, he told the whole Matter aforesaid, though I verily think, there was no such thing done by Mr. Maynard; for none spake against him, and for the easy Punishment of the Scrivener, but Mr. Maynard's Friends, even some of the greatest. Besides, it seems by the many Councillors that spake for Holland, That, &c.

Mr. Francis  
Bacon.

Mr. Francis Bacon said: 'I have been a Member of the House these Seven Parliaments, and yet never knew of above two that were Committed to the *Tower*: The first was *Arthur Hall*, for saying, *The Lower-House was a new Person in the Trinity*; which, because these words tended to the Derogation of the State of this House, and giving absolute power to the other, he was Committed. The other was *Parry*, that for a Seditious and Contemptuous Speech, made even there (pointing to the Second Bench) was likewise Committed. Now this Offence was not of the like Nature, and very small; not done to the Person of any Member of this House. And therefore, I think the *Serjeant's* Custody punishment sufficient.

Mr. Francis  
Moore.

Mr. Francis Moore said: 'Why, Mr. Speaker, this Offence is ordinary; my Man was well Beaten, and carried to the Tavern, and made Free of the Company of Gentlemen-Pages, forsooth. It were ridiculous for me to Complain; but this is a Matter of greater Importance.

Mr. Jones.

Mr. Jones of *Grays-Inn* said: 'Mr. Speaker, I think this is a great Wrong: For he hath charged him with *Ten Pounds Six Shillings*, and yet sent the Bond; which he would never have done, if he could have justified his Charge. The *Tower* is our Prison. And in Courts of Common-Law, if a man be Arrested but for *Twenty Shillings*, he shall be in the same Prison with him that is Arrested for *Ten Thousand Pounds*; and therefore, I think best he were Committed to the *Tower*.

So after other Consultation and Debate, it was put to the Question, and agreed, he should be in the *Serjeant's* Hands five  
Days,

Days, and also his man: And that they should pay double Fees.

44 Eliz.

Sunday, Novemb. 29.

29.

On Monday Novemb. 30. The Bill for Redrefs of un sized Bread, Read the first time; and it hath a Limitation, to the end of the next Parliament.

30.

A Bill for the Repairing and Amending of two Bridges over the River of Eden, in the County of Cumberland, adjoining to the Walls of the City of Carlisle, Read the first time.

Doctor Casar brought in a Bill from the Committees, Entituled, *An Act for the making of a Hold or Key, in the North-Parts of Devonshire.*

A Bill that no Person or Persons shall use the Art or Mystery of Poulterers in London, or within Forty Miles thereof; unless he hath been an Apprentice Seven Years thereunto; Read the first time: And the House cryed, *Away with it.* And being put to the Question for a Second Reading; all cryed, *No, No, No.*

A Bill for the Perfecting of the Joynture of Bridget Countess of Suffex, by the Right Honourable, the Earl of Suffex; and to the Right Honourable Anne his Wife, now Countess.

Mr. Comptroller said: *I am to Certifie you, of the Queen's Gladness and Willingness to hear the Acceptable News, that was deliver'd unto Her from this House, of the Humble and Earnest Desire of us all to see Her Majesty, and to shew our Thankfulness. She commanded me to tell you, That the Reason of Her Limitation of having a Convenient Number, was, in that the Place whereinto we should come, was not big enough to Receive us all. But She saith, That She is Glad, That there is such a Sympathy betwixt Her, and Us. And She is well pleased, That this Afternoon at Three of the Clock, we should all come; and without Restraint or Limit we may all come, and shall be very welcome.*

Mr. Comptroller's Message from the Queen.

The Bill for the Four Subsidies, and Eight Fifteens granted to Her Majesty, put to the Question, and ordered to be Ingrossed.

It was concluded, At Three of the Clock in the Afternoon, to meet in the Great Hall at White-Hall, there to Attend Mr. Speaker to Her Majesty.

Mr. Barrington brought in the Bill against Swearing, from the Committees.

The Bill for Avoiding of Trifling Suits, being Ingrossed, and put to the Question for Passing, it passed.

The Bill touching Edward Nevill, Esquire, &c. was passed, with a Proviso added to it, for the Saving of the Right of the Lady Vane, and her Sons.

The Speaker asked the House, *what it was their Pleasure he should deliver unto Her Majesty?* And Sir Edward Hobby stood up, and said: *He thought it was best he should devise that himself; for the whole House would refer it to him.*

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In



An. 1601.

The Commons attend the Queen in the Council-Chamber.

The Speaker's Speech to Her Majesty.

*In the Afternoon, the Commons Attended the Queen at White-Hall, about Three of the Clock, to the Number of One Hundred, and Forty.*

At length, the *Queen* came into the *Council-Chamber*; where sitting under the Cloth of State, at the Upper End, the *Speaker*, with all the *Commons* came in: And after Three low Reverences made, he spake to this Effect:

*Most Sacred, & more than most Gracious Sovereign;*

WE Your Faithful, Loyal, and most Obedient Subjects, and Commons here present, vouchsafed of Your special Goodness, (to our unspeakable Comforts) Access to Your Royal Presence: Do in all Duty, & Humbleness, come to present that which no Words can express, our most Humble and Thankful Acknowledgment of Your most Gracious Message, and most Bountiful and Humble Thanks for Your *Majesty's* most abundant Goodness, extended and performed to Us.

We cannot say, (most Gracious *Sovereign*) we have Called, and been Heard; we have Complained, and have been Helped; though in all Duty and Thankfulness, we acknowledge, Your Sacred Ears are ever open, and ever bowed down to Hear us, and your Blessed Hands ever stretched out to Relieve us.

We acknowledge (Sacred *Sovereign*) in all Duty and Thankfulness; we acknowledge, That before we Call, your preventing Grace, and all-deserving Goodness do watch over Us for our Good; more ready to give, than we can desire, much less deserve.

The Attribute which is most proper unto God, To perform all he promiseth, (most Gracious *Sovereign*, Queen of all Truth, of all Constancy, of all Goodness, never wearied of doing Good unto us, which the Deeds themselves do speak) That we must render unto You most Zealous, most Careful to provide all good Things for us, most Gracious, most Tender to remove all Grievances from us, which all Your Princely Actions have ever shewed. And even now, Your most Gracious published Proclamation, of Your own only meer Motion, and special Grace, for the Good of all Your People, doth witness unto us.

We come not (Sacred *Sovereign*) One of Ten, to render Thanks, and the rest to go away Unthankful: But All, of All, in all Duty and Thankfulness, do throw down our Selves at the Feet of Your *Majesty*. Neither do we Present our Thanks in Words, or any outward thing, which can be nothing, which can be no sufficient Retribution for so great Goodness.

But, in all Duty and Thankfulness, prostrate at Your Feet, We present our most Loyal and Thankful Hearts; even the

' the last Drop of Blood in our Hearts, and the last Spirit of  
' Breath in our Nostrils, to be pour'd out, to be Breathed up for  
' Your Safety.

44 *Eliz.*

*After Three low Reverences made, He, with the rest,  
Kneeled down, and Her Majesty began thus to  
Answer, Her Self; viz.*

The Com-  
mons fall on  
their Knees.

' Mr. Speaker,

' **W**E have heard your Declaration, and perceive  
' your Care of Our State, by falling into the  
' Consideration of a grateful Acknowledg-  
' ment of such Benefits as you have Received; and that  
' your Coming is to present Thanks unto Us, which I  
' Accept with no less Joy, than your Loves can have  
' Desire to offer such a Present.

The Queen  
answers to  
them Her  
self.

' I do assure you, There is no *Prince* that loveth his  
' *Subjects* better, or whose Love can countervail Our  
' Love. There is no Jewel, be it of never so Rich  
' a Price, which I set before this Jewel; I mean, your  
' Love: For I do more Esteem of It, than of any Trea-  
' sure or Riches; for *That* we know how to prize, but  
' Love and Thanks I count Unvaluable.

' And, though *God* hath raised Me high; yet This  
' I count the Glory of my Crown, That I have Reign-  
' ed with your Loves. This makes me that I do not  
' so much rejoyce, That *God* hath made Me to be a  
' Queen, as, To be a Queen over so Thankful a Peo-  
' ple.

' Therefore, I have Cause to wish nothing more,  
' than to Content the *Subjects*; and that is a Duty which  
' I owe: Neither do I desire to live longer *Dayes*,  
' than that I may see your Prosperity; and That's my  
' only Desire.

' And as I am that Person, that still (yet under *God*)  
' hath Deliver'd you; so I trust, (by the Almighty Pow-  
' er of *God*) that I still shall be His Instrument to Pre-  
' serve you from Envy, Peril, Dishonour, Shame, Ty-  
' ranny, and Oppression; partly by Means of your in-  
' tended Helps, which We take very Acceptably, be-  
' cause it manifests the Largeness of your Loves and Loy-  
' alty to your Sovereign.

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' Of

An. 1601.

The Queen  
bids the Com-  
mons rise up.And then  
continues to  
Speak.

‘Of My Self, I must say this, I was never any greedy  
‘scraping *Grasper*, nor a straight, fast-holding *Prince*;  
‘nor yet a *Waster*. My Heart was never set on World-  
‘ly Goods, but only for my Subjects Good. What You  
‘do bestow on Me, I will not hoard it up, but Re-  
‘ceive it to bestow on You again: Yea, My own Pro-  
‘prieties I count Yours, and to be Expended for your  
‘Good; and your Eyes shall see the Bestowing of All,  
‘for your Good. Therefore, render unto Them from  
‘Me, I beseech you, Mr. *Speaker*, such Thanks as you  
‘imagine my Heart yieldeth, but my Tongue cannot  
‘express.

“*Nota*, All this while, we Kneeled; whereupon  
“Her Majesty said: Mr. *Speaker*, I would wish  
“You, and the Rest to stand up; for I shall yet  
“trouble you with longer *Speech*.  
“So we all stood up, and She went on with Her  
“Speech, saying:

‘Mr. *Speaker*,

‘**Y**OU give Me Thanks; but I doubt Me, that I  
‘have more Cause to Thank You all, than You  
‘Me. And I charge you, to Thank them of  
‘the *Lower-House*, from Me: For had I not received  
‘a Knowledg from you, I might have fallen into the  
‘Lapse of an Errour, only for Lack of True Informa-  
‘tion.

‘Since I was *Queen*, yet, did I never put my Pen un-  
‘to any Grant, but that, upon Pretext and Semblance  
‘made unto Me, it was both Good and Beneficial to  
‘the Subject in general; though a private Profit to some  
‘of My Antient Servants, who had deserved well at  
‘My Hands. But the Contrary being found by Expe-  
‘rience, I am exceedingly beholding to such Subjects,  
‘as would move the same at the first. And I am not  
‘so Simple to suppose, but that there are some of the  
‘*Lower-House*, whom these Grievances never touched.  
‘And for Them, I think they spake out of Zeal for  
‘their Countries, and not out of Spleen, or Malevo-  
‘lent Affection, as being Parties grieved. And I take  
‘it



44 Eliz.

'it exceeding Gratefully from them; because it gives  
'Us to know, that no Respects or Interests had moved  
'them other than the minds they bear to suffer no di-  
'minution of our Honour, and our subjects Loves  
'unto Us. The zeal of which Affection, tending to  
'ease my People, and Knit their hearts unto Me, I  
'embrace with a Princely care; for (above all earthly  
'Treasure) I esteem my People's Love, more than  
'which I desire not to Merit.

'That my Grants should be grievous to my Peo-  
'ple, and Oppressions privileged under colour of our  
'Patents; our Kingly Dignity shall not suffer it: yea,  
'when I heard it, I could give no rest unto my Thoughts  
'untill I had Reformed it.

'Shall they think to escape unpunished, that have thus  
'Oppressed you, and have been respectless of their Du-  
'ty, and regardless of Our Honour? No, Mr. *Speaker*,  
'I assure you, were it not more for Conscience-sake,  
'than for any Glory or Increase of Love, that I de-  
'sire; these Errours, Troubles, Vexations and Op-  
'pressions done by these Varlets and lewd Persons, not  
'worthy the name of Subjects, should not escape  
'without Condigne Punishment. But I perceive they  
'dealt with Me like Physitians, who Administring a  
'Drug, make it more acceptable by giving it a good  
'Aromatical Savour, or when they give Pills, do Gild  
'them all over.

'I have ever used to set the last Judgment-Day be-  
'fore my Eyes, <sup>and</sup> as so to Rule, as I shall be Judged  
'to Answer before a higher Judge, to whose Judgment-  
'Seat I do Appeal, That never Thought was Cheri-  
'shed in my Heart, that tended not to my People's  
'Good. And now, if my Kingly Bounty have been  
'abused, and my Grants turned to the Hurt of my Peo-  
'ple, contrary to My Will and Meaning; or if any in Au-  
'thority under Me, have neglected or perverted what  
'I have Committed to them; I hope God will not  
'lay their Culps and Offences to my Charge; who though  
'there were danger in repealing our Grants, yet what  
'danger would I not rather incur for your Good, than  
'I would suffer them still to continue?

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'I

An. 1601.

'I know the Title of a KING is a Glorious Title.  
'But assure your self, That the Shining Glory of Prince-  
'ly Authority, hath not so dazelled the Eyes of our  
'Understanding; but that we well know and remem-  
'ber that We also are to yeild an Account of our Acti-  
'ons, before the Great Judge.

'To be a KING, and wear a Crown, is a thing  
'more Glorious to them that see it, than it is plea-  
'sing to them that bear it: For my self, I was never  
'so much inticed with the Glorious Name of a KING,  
'or Royal Authority of a QUEEN, as delighted that  
'G O D had made Me his Instrument to maintain his  
'Truth and Glory, and to Defend this Kingdom (as  
'I said) from Peril, Dishonour, Tyranny, and Op-  
'pression.

'There will never *Queen* sit in my Seat, with more  
'Zeal to my Country, Care for my Subjects, and that  
'sooner with willingness will venture her Life for your  
'Good and Safety, than My Self. For it is not my desire  
'to Live nor Reign longer, than my Life and Reign  
'shall be for your Good. And though you have had,  
'and may have many Princes, more Mighty and Wise,  
'sitting in this State; yet you never had, or shall have  
'any that will be more Careful and Loving.

'Shall I ascribe any thing to my Self, and my Sexly  
'Weakness? I were not worthy to Live then; and  
'of all, most unworthy of the great Mercies I have  
'had from God, who hath ever yet given me a Heart,  
'which never yet feared Forreign or Home-Enemy. I  
'speak it to give God the Praise, as a Testimony before  
'you, and not to Attribute any thing to My Self. For  
'I, O Lord, What am I, whom Practices and Perils  
'past should not fear? Or, What can I do? [*These*  
'*Words She spake with a great Emphasis.*] That I should  
'speak for any Glory, God forbid.

'This, Mr. *Speaker*, I pray you deliver to the *House*,  
'to whom heartily commend Me. And so, I commit  
'you All to your best Fortunes, and further Councils.  
'And I pray you, Mr. *Comptroller*, Mr. *Secretary*, and  
'You of My Council, That before these *Gentlemen* de-  
'part into their Countries, you bring them All to Kisse  
'My Hand. On

On Decemb. 1. being Tuesday, The Bill for Dreining the Fens, Committed.

The Bill for Explanation of the Statute of 8 Regine, touching Hats and Caps, brought in with Amendments.

The Bill to avoid Idleness, and to set the Poor on Work.

The Bill of Llandowerer was Read; and it was put to the Question; I stood up to speak against it, according to a Note given me by Mr. John Stephens, an Honest young Gentleman of Lincolns-Inn. The Effect thereof, is:

At the Parliament 27 Hen. 8. Cap. 26. the Shires of wales were Divided, and the Land of Lour limited in Pembroke-shire. At the Parliament 34 Hen. 8. Cap. 28. Caustiffan, Usterloys, and Laugherr, by the same former Act being in Pembroke-shire, were by the said last Act appointed in Carmarthen: Since which time, the Land of Lour hath been reputed in Carmarthen-shire. William Phillips of Icton, seized of the Lands of Lour; and having Issue two Daughters, Elizabeth being Marryed to George Owen Esquire, and Mary to Alban Stepneth Esquire; the said George and Alban, without the Consent of their Wives, and by the Constraint of Sir John Parrot Knight, levied a Fine to Morgan Phillips, of the said Land of Lour, in Carmarthen-shire; whereas it is in Pembroke-shire: So that the intent of the Bill Preferred by John Phillips (he seeing his Estate void) is to strengthen his Estate, and to over-through the Right, Title and Interest of the said George. Which being shewed to the House, and put to the Question, the greater Voice was, No, No, No, and so the Bill was Rejected.

Amendments in the Bill against Blasphemous and Usual Swearing, was Read, and ordered to be ingrossed. To this Bill

Mr. Glascock spake and said: Man is made of two Parts, a Soul and a Body; and there are two Governments, one Imperial, the other Sacerdotal; the First belonging to the Commonwealth, the Other to the Church.

Swearing is a thing Moral, and toucheth the Soul; and therefore fitter to be spoken of in a Pulpit than a Parliament. If the God of Abraham, Isaac, and Jacob hath sworn, That his Plague, shall not depart from the House of the Swearer, Why should not we seek to suppress this Vice, which brings a plague which breeds Mortality, that breeds Destruction, Defolation and utter Ruin of the Common-Wealth?

If He forbid us to Swear, and we fear not his Commandments, Think you a Penalty of Ten Shillings, as is here set down, will make us refrain this Iniquity? I may speak of this Bill, as a Painter which made a most Artificial Table of the Waves of the Sea, so Lively, that to the Judgment it seemed the very Sea. Another Painter, in the same Table, Painted a Tree, so Lively, as it might be thought it were growing out of the Sea: There grew a Question, Which was the most Curious Workmanship; and the Deciding of this Controversie was referred to the Judgment of a third Skillfull Painter; who gave his Judgment of the Tree, thus: O valde bene! sed hic non erat locus.

Aaaa2

So

44 Eliz.

December

I.

A Bill against Swearing.

Mr. Glascock speaks to it.



An. 1601

He gives the  
Justices of the  
Peace in the  
Country, a se-  
vere Lash.

Sir Francis  
Hastings.

‘ So may I say of this Bill: It is as hard for this Penalty to  
‘ restrain this Sin, as it is for Religion to spring out of the  
‘ Common-Law, and to take Effect. *Aristotle* saith, *That a Man*  
‘ *may be Bonus Civis, and yet not Bonus Vir.* And though I ab-  
‘ hor the Sin, yet I deny not, but the Sinner may be a good  
‘ Member. *Moses* when he saw *God*, could but see his Back-  
‘ Parts only; and no Man ever saw more: But these Swearers  
‘ Swear by all his Parts so perfectly, as if they had seen Him all over.  
‘ *Philip King of France* made a Law, That the Swearer should  
‘ be Drowned. Another Law was made, That a certain Sum  
‘ should be paid presently, so soon as he had Sworn, or else the  
‘ Swearer to lose his Head. We use so much Lenity in our  
‘ Law, as we had as good make no Law. For we give a Pe-  
‘ nalty, and to be taken upon Conviction before a Justice of  
‘ Peace: Here’s wise stuff! First, Mark what a Justice of Peace  
‘ is, and we shall easily find a Cap in our Law. A Justice of  
‘ Peace is a Living Creature, that for half a Dozen of Chickens  
‘ will Dispence with a whole Dozen of Penal Statutes: We Search  
‘ and Ingross; they retail. These be the Basket-Justices, of whom  
‘ the Tale may be Justified, of a Justice whom I know, to whom  
‘ one of his Poor Neighbours coming, said: Sir, I am very highly  
‘ Rated in the Subsidy-Book; I do beseech you to help me. To whom  
‘ he answer’d, I knew thee not. Not me? (quoth the Country-  
‘ man) why, your Worship had my Team, and mine Oxen such a  
‘ Day; and I have been ever at your Worship’s Service. Have you  
‘ so? (quoth the Justice) I never remember I had any such Matter;  
‘ not so much as a Sheep’s Tail. So, unless you offer Sacrifice  
‘ unto these Idol-Justices, of Sheep and Oxen, they know you  
‘ not. If a Warrant come from the Lords of the Council to  
‘ Levy a Hundred Men, he will Levy Two Hundred: And, what  
‘ with Chopping in and Crossing out, he will gain a Hundred  
‘ Pounds by the Bargain. Nay, if he be to send forth a War-  
‘ rant upon a Mans Request, to have any fetch’t in upon Sus-  
‘ picion of Felony, or the like, he will write you the Warrant  
‘ himself; and you must put Two Shillings in his Pocket, as his  
‘ Clerk’s Fee, (when, God knows, he keeps but two or three  
‘ Hindes) for his better Maintenance.  
‘ Why, we have had here Five Bills: One against Swearing,  
‘ another for Going to Church, Good Ale, Drunkenness, and —  
‘ This is as good to them as a Subsidy, and Two Fifteens. Only  
‘ in that Point I mislike the Bill; for the rest, I could wish it  
‘ good Passage.  
‘ Sir Francis Hastings, amongst other Speeches in this Bill said:  
‘ That such Justices were well worthy to be locked up in an Ambury:  
‘ But he wished, That All might not be Censured for one evil One;  
‘ who though he neglected both the Care of Conscience and Country,  
‘ which he should not do; yet doubtless many did not so, as being  
‘ touched in Conscience to remember, That our long Peace should make  
‘ us carefull to please Him, in doing Justice, that had preserved us;  
‘ and was the Author of our Peace: even God himself. So the Bill  
‘ was put to the Question, and Order’d to be Ingrossed.

Mr. wiseman

Mr. *wiseman* moved the House, to remember two things: 'One that it had been an ancient Custom in Parliament, sometimes to call over the House; which was not yet done. The 'Other, That where heretofore a Collection had been used for 'the Poor; That those which went out of the Town before 'the Parliament ended, would ask Leave of the *Speaker*, and 'pay his Money.

Sir *Edward Hobby* said, 'The Gentleman that last spake, Moved you: but I would Remove you a little further. May it please you, 'It hath been a most Laudable Usage, That some Contribution or Collection should be made amongst us *in pios usus*. 'And I pray you let us not forget our Parliamentary Charity. 'Every Knight paid *Ten Shillings*, and every Burgess *Five Shillings*, to be thus disposed of: part of the Whole to the Minister, part to the Servants here, and part to the Poor; the rest at your disposements. The last time our Charity ransomed a Prisoner, for his Father's good Desert. The last time Sir *Robert wroth*, and Mr. *Fettyplace* were Collectors. It rests in you, either to appoint them now, or choose others.

Mr. *Fettyplace* said: 'It is true, Mr. *Speaker*, I was Collector the last time, and there was paid out of the Money Collected, 'to the Minister *Ten Pounds*, to the *Serjeant Thirty Pounds*, to Mr. *John Leveson*, for the Redemption of Mr. *Fox's* Son, that made the Book of Martyrs, *Thirty Pounds*. There was Money given to Seven Prisons: the two *Compters*, *Ludgate*, and *Newgate* in *London*, to two in *Southwark*, and one in *Westminster*. How old the Custom is, I know not, but how good it is, I know. 'For my own part, having once undergone that Service already; I humbly pray that it would please you to appoint another.

Mr. *Tate* said: *Charity proceeding from Conscience, and not from Custom, breeds Obedience to God, and pleaseth God*: and so went on, and spake for a Town in his Country, lately Burnt; That it would please the House to contribute somewhat to the Poor's loss there.

Mr. *Roger Downs*, brought in the Bill for *Rattlesdale* with some Amendments.

The Bill for Assurance of a Joynture to *Lucy Countess of Bedford*, being Ingrossed, passed the House; and was sent up to the Lords.

A Bill for the Denization of certain Persons, viz. *William Millet*, *Ann Pope*, *George Chambers*, *Peter Eaton*, and *Nicholas Tooley*, being Ingrossed, passed the House; and was likewise sent up to the Lords with the other.

The Bill for Confirmation of divers Letters-Patents, made by *Edw. 6.* to Sir *Edward Seymor Knight*, his Grand-Father; being Ingrossed, passed, and was sent to the Lords.

The Bill for the better Observation of certain Orders in the *Exchequer*, Ingrossed, and passed, and sent up to the Lords.

The Bill for Avoiding of trifling Suits, being Ingrossed and passed, was sent to the Lords.

B b b b

Sir

44 Eliz.

Mr. *wiseman* moves for a Parliament-Collection.

Mr. *Fettyplace* shews how the last was disposed of.

An. 1601.

Sir Robert Wroth said; 'Mr. Speaker, The Use hath been, That the general Bills should be first Read, and then the private, and they that carry them, to give some brief Commendation of them.

Mr. Speaker said: *who shall carry these Bills?* And all desired, That Mr. Comptroller, and Mr. Secretary Hobart, would be pleased to present them.

Sir Walter Rawleigh brought in the Bill for Shop-Books, with some Amendments. One was in the Title; for that it was thought to be an Imputation to Merchants.

And another thing I would move the House in, he said, and that is, 'That there might be a Proviso for Sums under Five Pounds. And because the greater part of the Committee were against it; I thought fit to move it here. And all the House cried, No.

Mr. Tate brought in the Bill touching Sir Anthony Maney, to which Mr. Johnson of Grays-Inn excepted; and shewed, That his wife was a Maney, and though himself were far off in Remainder, yet he desired the House would be pleased to except his Right, for (said he) *Nemo sapit qui sibi non sapit.* And therefore I presume to speak for my self. And I hope the House will not give passage to the Bill.

Mr. Boyes shewed, He was so far off, as at least in the Seventeenth Degree; and so the House called to the Question, whether it should pass? And all cried, *I, I, I.*

Mr. Davis  
moves in the  
Bill for the  
Painter-stainers  
against the  
Plasterers.

Mr. Davis brought in a Bill, for the Painter-Stainers, for the remedy of certain Abuses done by the Plasterers, to the prejudice of that Company. He shewed, 'That this Bill was preferred the last Parliament, and, upon special Suit of the Citizens of London of this House, the Bill was let Slip, and a promise made, That the Lord Mayor should finally end it betwixt the two Companies. But after the same Parliament was done, the Plasterers went from their words, so now the poor Men complain to you for Redress. And since the beginning of this Parliament, the Plasterers are contented to enter into Bond; but they will Break that too, no doubt, being but of small value: And the Painter's Trade, if it be not helped by us, will go down: which is the finest Trade in the World; For, Courtiers, Knights, Lords, Earls, Kings, yea Emperours have used it. They only desire to Work in Oyl, as a thing incident to their Trade, to make Pictures by the Life, to draw Armory, and Paint in Glass-work, Houseing, and the like. Now if their be One Hundred Apprentices, not Four come to the perfection of Painting by the Life, and all their Trade and Gain in the other things, is by the Plasterers now usurped, who are only to meddle with Loame, Morter, and the like, yet the Painter-stainers have given them leave to use their Four Principal Colours, &c.

Mr. Spicer Sec-  
conds it.

Mr. Spicer said: *As I wish no Man should meddle with anothers business, so I wish that no Trade should meddle one with anothers Mysteries: I know the Colours belong to the Painters, the grose and ground-*



ground-work to Plaisterers; and briefly Mr. Speaker, Quam quisque nōrit artem in hac se exerceat.

So it was put to the Question for Ingrossing, and all cried, *I, I, I.*

The Amendments in the Bill for Avoiding of double payment of Debts upon Shop-Books, were Read.

Mr. Beeston shewed, how good this Bill would be to keep Young Men from running too far in Debt, and avoiding double Payment. He gave an Example of a Mercer, *That gave a Piece of Velvet for a Kindness done; but dying Sixteen Years after the Delivery, the Executor of this Man sued the Gentleman. He desired to see the Book; and there was Entered, Delivered such a Day, to such a Man, so Much. The Gentleman advised with Council, what to do: They told him, No Remedy, but to Wage his Law. The Manner thereof being told him, rather than he would have his Credit drawn in Question, he paid it. He further said, They have two kind of Books; the one where the Particulars be, and that upon Payment, is lightly Crossed: The other General, where the Gross Sum is; and that is called, The Book Dormant: Out of which, if you see not your Self Crossed, perhaps you, or your Executors may pay for it Twenty Years after.*

It was put to the Question; and the House being Divided, the *I, I, I*, had 154. and the *Noes* 88. So the *I, I, I*, got it by 66.

Mr. Speaker said: First, *I am by Her Majesty's Commission; to make Report unto you of that Notable and Excellent Speech, which Her Majesty deliver'd. I shall deliver unto You, but a Shadow of that Substance: But I greatly Rejoyce, that so many were there present, who are well able to supply to others the True Report of Her Majesty's Speech.*

**I**T pleased Her Majesty to shew, In what gracious fort She 'accepted our Loyalty. She said, *She Rejoyced not so much to be a Queen, as to be a Queen over so Thankful a People; and that God had made Her a Means to save us from Shame, Tyranny, and Oppression. She did Accept of our intended Present, which (she said) manifested our Love and Loyalty; most graciously affirming, That She was never any greedy Griper, or fast Holder; and what We did present, She would not board up; but Our Eyes should see the Bestowing of it.*

'For the Thanks which were yielded Her, for Her great Regard of Us, She willed me to return Her Thanks to You most Graciously; and to tell You, *That Her Heart never inclined to pass any Grant, but upon Suggestion that it was for the Good of Her Subjects; and now that the Contrary appeared, She took it Graciously, that the Knowledge thereof came from Her Subjects.*

'She said: *She ever set the last Judgment before Her Eyes; and never Thought arose in Her, but for the Good of Her People. If Her Grants were abused to their Hurts, it was against Her will; and She hoped, God would not lay their Culps and Offences to Her Charge, and the Principal Members not touched.*

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'And

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The Bill Ordered to be Ingrossed.

Mr. Beeston about Book-Debts.

Mr. Speaker gives an Account of the Queens Speech.

An. 1601.

'And had it not been for these Her good Subjects, She had fallen from Lapse into Error.

'Those that did speak against them, She thought spake out of no Spleen, or Displeasure to the Grants; but to deliver the Grief of their Hearts, which above any Earthly Treasure She respected.

'She said: She was not allured with the Royal Authority of a KING, neither did She Attribute any thing to Her Self; but all to the Glory of GOD. She said: The Cares and Troubles of a Crown, are known only to them that wear it: And were it not more for Conscience-sake, than any Desire or Want of Disposition in Her, these Patentees should not escape without Condigne Punishment. She desired not to Reign longer, than that Her Government and Reign should be for our Good. She said: We might well have a Prince of more Wisdome and Sufficiency; but of more Love and Affection we should never have.

'Her Majesty deliver'd a Commandment to Mr. Comptroller, and Mr. Secretary, That the Gentlemen of the Country should be brought to Kiss Her Hand, before they departed.

The Amendments in the Bill of *Painting*, were Read; and Mr. Lythe stood up, and said: Mr. Speaker, we have been troubled with two P, P's. this Parliament; that is, The Painters, and the Plaisterers: Methinks, a Third P. would do very well; and that is, Put it out of Doors.

Mr. Davies said: Let me add the next Letter, Q. To end this Controversie, I pray let it be put to the Question; or else one of his P's. that it may be Passed.

The Bill touching *Perjury* and *Subornation of Perjury*, was Read and Committed: The Place of Meeting to be at the *Middle-Temple-Hall*, and the Time, *Thursday* in the Afternoon.

2.

On *Wednesday, Decemb. 2.* A Bill for certain Orders amongst *Water-men*.

A Bill for Explanation of the Statute 23 *Regine*, touching *Recusants*, was Read and Committed: The Place of Meeting to be in the *Court of wards*; and the Time, to *Morrow* in the Morning.

A Bill to prohibit Transportation of *Iron-Ordnance*, beyond Seas.

A Bill to secure the Patronage of *Rotharston* to *Thomas Venables*, Esquire.

Mr. *Francis Moore* brought in a Bill, for Confirmation of a Charter of *King Edward the Sixth*, to the *City of London*, touching *St. Bartholomews-Bridewel*, and *St. Thomas Apostles*: It was put to the Question; and, after Commitment, ordered to be Ingrossed.

A Bill for the Amending of a *Common-Road-Way*, called *Double-Sole-Green*, between *Kentish-Town*, and the *City of London*.

A Bill to Reform the Abuses in Weights and Measures, by the Default of the Clerk of the Market, and other Officers, Read: To which, —

Mr. Fretswick, Knight of Darby-shire, spake, and said: *In that I speak being least worthy, I hope it will be deemed to proceed from Affection, not Presumption. Besides, I have learnt it for a Rule in this House: It is better to venture Credit, than Conscience.*

*There are Three things to be consider'd in this Bill; The Inconvenience, the Necessity of the Remedy, and the Conveniency of Punishment. For the Inconveniency; no Man but knows it, who knows the State of his Country: In Mine, there is nothing more generally complained of, than the Inequality of Measures. The Rich have two Measures; with One he Buys, and Ingrosseth Corn in the Country; that's the Greater: with the Other he Retail it at Home, to his poor Neighbours; that's the Lesser. This is the great and just Complaint of All.*

So, after many other Matters moved upon the Statutes, the Bill was Committed: The Time of Meeting, appointed on Saturday in the Afternoon, in this House.

The Bill for more Diligent Resort to Churches on Sundayes; was Read.

Mr. Roger Owen spake to it, and said: *That he misliked the Bill, for Two Respects: The One, for the Penalty; the Other, in respect of the Party punishing: This is the Justice.*

*For the First: The Penalty is Twelve Pence. It is well known, the poorest Recusant in England, as well as the Rich, ought to pay his Twenty Pounds; and for want of Lands and Goods, his Body is Lyable. And therefore, we shall doubly pinch him; which is against the Law.*

*For the Other: Touching the Justice, I think it too great a Trouble, and they already are loaden with a Number of Penal Statutes; yea, a whole Alphabet, as appears by Husley, in the time of Henry the Seventh. And this is so obvious, that a Justice of Peace his House, will be like a Quarter-Sessions, with the Multitude of these Complaints.*

*I think also, it is an Infringment of Magna Charta; for That gives Tryal per Pares; but This, by Two witnesses, before a Justice of Peace. And by this Statute, if a Justice of Peace come into the Quarter-Sessions, and say, It is a good Oath, this is as good as an Indictment. Therefore, for my part, away with the Bill.*

Sir Francis Hastings said: *I never in my Life before, heard Justices of the Peace Taxed in this Sort: For ought I know, Justices of Peace are Men of Quality, Honesty, Experience, and Justice. I would ask the Gentleman that last spake, but Two Questions: The First, whether he would have any Penalty at all Inflicted? The Second, If in the First Statute, or in This, an easier way for the Levying of this Twelve Pence, can be? If he deny the First, I know his Scope; if the Second, no Man but himself will deny it. And to speak so in Both, is neither Gravely, Religiously, nor Rightly spoken.*

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And

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A Bill about Weights and Measures.

Mr. Fretswick speaks to it.

A Bill for more diligent Resort to Church.

Mr. Owen against it.

Sir Francis Hastings opposes him.



An. 1601.

Sir Cary Reynolds for the Bill.

And therefore, for God's, the Queen's, and the Country's sake, I beg the Bill may be Committed.

Sir Cary Reynolds said: 'The Sabbath is ordained for Four Causes. First, To Meditate on the Omnipotency of God. Secondly, To Assemble our selves together, to give God Thanks. Thirdly, That we might thereby be the better enabled to follow our own Affairs. Fourthly, That we might Hallow that Day, and Sanctifie it.

'King James the Fourth of Scotland, in the Year 1512. and King James the Sixth, in the Year 1579. or 1597. did Erect, and Ratifie a Law, That whosoever kept either Fair, or Market upon the Sabbath, that his Goods should be presently given to the Poor. A Man gathering but a few Sticks on that Day, was stoned to Death, because that was thought to be a Prophana-tion of the Sabbath. In France, a Woman refraining to Sanctifie the Sabbath, Fire appeared in the Air unto her; this moved her not: It came the second time unto her House; and yet this moved her not: It came the third time, and devour-ed all that ever she had, but a little Child in the Cradle.

'But, to come nearer our selves: In the Year 1583. the House of Paris Garden fell down, as they were at the Bear-Baiting, Jan. 23. on a Sunday, and Four Hundred Persons fore-Crushed; yet by God's Mercy, only Eight were Slain out-right.

'I would be a Suitor to the Honourable Persons that sits about the Chair, That this Brutish Exercise may be used on some other Day, and not the Sabbath; which I wish with my Heart, may be observed: And I doubt not, but great Reformation will come, if this Bill doth but Pass. To the better effecting whereof, I humbly pray, That if there be Imperfections in it, it may be Committed.

Sir George Moore for it.

Sir George Moore said: 'I have read, That the Tongue of a Man is so tyed in his Mouth, that it will Stir still. It is tyed deep in the Stomack with certain Strings, which reach to the Heart; to this end, That what the Heart doth offer, the Tongue may utter; what the Heart thinketh, the Tongue may speak. This I know to be true, because I find in the Word of Truth, [Out of the Abundance of the Heart, the Mouth speaketh.] For the Gentleman that inveighs so much against Ju-stices, it may proceed out of the Corruption of his Heart; However, I mean not to search it, or answer him: Only, I turn him to Solomon, and mean to answer him with Si-lence.

'Without Going to Church, or Doing Christians Duties, we cannot be Religious; and by Religion we learn both our Du-ties to God, and the Queen. In doing our Duty to God, we shall be the better able to do our Duty to our Prince; and the word biddeth us, That we should give unto God, that which is due unto God. Et Cæsari quæ sunt Cæsaris.

'Amongst many Laws which we have, we have none for Constraint of God's Service: I say none, though one were made

'primo

*primo Regina*; because that Law is no Law, which takes no Force; for *Executio Legis vita Legis*.

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Then let not us give such Cause of Comfort to our Adversaries; that having drawn a Bill in Question for the Service of our God, we should stand so much in questioning the same. Once a Month coming to Church, excuses us from the Danger of the Law, but not from the Commandment of God, who saith, *Thou shalt Sanctifie the Sabbath-Day*; that is, every Sabbath.

This Bill ties the Subject to so much, and no more; which being agreeable to the Law of God, and the Rule of Policy, I see no Reason we should stand so strictly in giving it a Commitment.

Mr. Bond said: I wish the Sabbath to be Sanctified, according to the precise Rule of God's Commandment: But I wish that St. Augustine's Rule may be observed in the Manner; *Non jubendo, sed docendo, magis monendo quam minando*.

Mr. Bond against the Bill.

I like not that such Power should be given to the Justices of Peace; for, Who almost are not grieved at the Luxuriant Authority of Justices of Peace? By the Statute of 1 Ed. 3. they must be good Men and Lawful; no Maintainers of Evil, but Moderate in Execution of Laws. For Magistrates are Men, and Men have alwayes attending on them two Ministers, *Libido & Iracundia*. Men of this Nature, do subjugate the Free Subject: Clerks can do much, Children more, and wives most.

It is dangerous therefore, to give Authority in so dangerous a thing as this; which I hold worth your second Thoughts, *Quæ solent esse Prudentiores*.

Her Majesty, all the Time of Her Reign, hath been Clement, Gracious, Meek, and Merciful; yea, choosing rather *Delinquere*, I know not how to term it, in Lenity, but not in Cruelty. But by this Statute, there is a Constraint to come to Divine Service; and for Neglect, all must pay, *Plectentur Achivi*. The Poor Commonalty, (whose Strength and Quietness, is the Strength and Quietness of us all) he only shall be Punished, he Vexed. For, will any think, that a Justice of Peace will contest with so good a Man as himself? No: This Age is too Wise. I leave it to this House, Whether it stands with Policy, when Four Subsidies, and Eight Fifteens be now Granted, to bring the Poorer Sort into a greater Fear, by these and such like Laws; *Malus Custos Diuturnitatis Metus*. And in the Gracious Speech, which Her Majesty lately deliver'd unto us, She used this Phrase, *That she desired to be beloved of Her Subjects*: It was a Wise Speech of a Wise Prince; for an Historian saith, *Timor excitat in vindictam*.

Therefore, Mr. Speaker, I dislike the Bill, in that Point touching Justices, as also touching Taxation. And I will only say thus much, with Paphnutius in the Nicene-Council; *Absit, quod tam grave jugum fratribus nostris imponamus*.

An. 1601.

Mr. Comptroller  
for the Bill.Mr. Glascock's  
Apology for  
having Taxed  
the Justices of  
Peace.The Speaker  
Opposes, and  
tells him, He  
must justify  
his Calum-  
nies.

Mr. Martin.

Sir Robert  
Wroth would  
have Glascock  
brought to  
answer at the  
Bar.Which the  
House is a-  
gainst.Mr. Johnson  
Seconds Sir  
Robert Wroth.

Mr. Comptroller said; 'I am sorry, after *Forty Three Years* under her Majesties happy Government, that we should now 'Dispute or Commit a Bill of this Nature. And I wonder that 'any Voice durst be so bold, or desperate to cry, Away with this 'Bill.

'The old Statute gives the Penalty, this new one onely speedy 'means to Levie it. And I much marvel that Men will or dare 'accuse Justices of the Peace, Ministers to her Majesty, with- 'out whom the Common-Wealth cannot be. If this boldness 'go on, they will accuse Judges, and lastly, the Seat of Justice 'it self. That all Justices should be thus generally accused, 'this is meer Barbarisme indeed; when her Majesty shall have 'Understanding thereof, it will be no Contentment unto her, 'and a Scandal unto us all.

Mr. Glascock said; 'In that I am Taxed to Tax Justices of 'the Peace, I am to pray the House, to give me leave to make 'an Apology for my self.

'Mr. Speaker, I will not deny That that I spake Yesterday; 'but upon my Salvation I speak, and protest it in mine own 'Conscience, I spake it only of the Inferior sort of Justices. A- 'gainst these I will not speak that I spake last, but other mat- 'ter in other terms, they be like the Wise Men of *Chaldee*, 'that could never give Judgment, till they saw the Intrailes of 'Beasts. Our Statutes Penal be like the Beast called *Born* 'in the Morning, at his full Growth at Noon, and Dead at 'Night: So these Statutes are quick in Execution, like a Won- 'der for Nine Days; and that's a Wonder they continue so 'long; soon after they be at the height: but by the end of a Year, 'they are carried Dead in a Basket to the Justices House.

'Mr. Speaker said: *Mr. Glascock, you speak from the Matter 'and Purpose, and this you have spoken, you must justify.*

Mr. Martin said: 'I am the rather willing to speak, in that 'I would willingly have an end of this Matter. I think we 'all agree upon the Substance, That it is fit the *Sabbath* should 'be Sanctified. The other Matter, which is the Impediment, 'I know it is a Grief; but I leave it, as Matter more fit to 'be decided at a Committee, than here.

'And therefore, for the Honour of the *Queen*, and of Her Go- 'vernment, I wish it may be Committed without any further 'Argument.

Sir Robert Wroth said: 'I think the Office of a *Justice of Peace*, 'is too good for him that exclaims against it; and I think, he 'will never have the Honour to have it. It were good that he 'named them; and that he were enjoined to tell who they 'were he spake so meanly of: Otherwise, Honest Men will 'be loth to Serve the *Queen*, when they shall be slandered with- 'out Proof. Therefore, I would that he might Answer it at 'the Bar. And all cried, *No, No, No.*

'Mr. Johnson said: This Bill is an excellent good Bill. And 'I have observed in all Speeches yet spoken, it hath been inter- 'larded



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‘ larded with other Matter. The Gentleman now protesteth He  
‘ spake of Basket-Justices. I appeal to the whole House, whether  
‘ his Definition was not General; viz. *A Justice of Peace is a*  
‘ *kind of living Creature, that for half a Dozen of Chickens will*  
‘ *dispense with a Dozen of Penal Statutes.* I think it is well  
‘ known, that the Honourable, that sit about the Chair, and all  
‘ the rest of Her Majesty’s Privy-Council, have, and do hold the  
‘ same Place; and this toucheth Them, as well as Inferiour Ju-  
‘ stices. And therefore, I humbly pray, He may answer it at  
‘ the Bar, and that it may not be put off with Silence.

Mr. Hyde said: ‘ Every Man agrees, this Bill hath good Mat-  
‘ ter; and we all consent to the Substance, though dissent to  
‘ the Form. Some have more Wit, some more Understanding  
‘ than others. If they of meaner Capacity and Judgment speak  
‘ Impertinently, let not us in a Spleen straight ways cry, *Away*  
‘ *with the Bill:* But let us give it the same Favour, that we  
‘ give to Bills of far inferiour Nature, and of less Moment; That  
‘ is, a Commitment.

So the Bill was committed to the former Committees; the  
Place of Meeting appointed, the Exchequer-Chamber; and to Mor-  
row in the Afternoon, the Time.

Mr. Doyley said: Mr. Speaker, *I would move but one Question,*  
*that is, what shall be done against those two general Slanderers of*  
*Justices of the Peace?*

Mr. Mountague, Junior, said: *The words Luxuriant Authori-*  
*ty, and, the heavy Yoke of a Justice of Peace, are words dangerous,*  
*and hurtful, and prejudicial to Her Majesty’s Honour: And there-*  
*fore, I think fit, they should both be called to the Bar, to answer*  
*it.*

Mr. Glascock said: *I protest again, Mr. Speaker, I spake it on-*  
*ly of those Justices, that make it their Living to gain by their poor*  
*Neighbours.*

Sir Francis Hastings said: ‘ If all things spoken should rest  
‘ within the Walls of this House, I could well be content to be  
‘ Silent. But when this Scandal (which I wish might be so  
‘ Reformed, it might be made an Example) shall be blazed a-  
‘ broad, as a general Slandorous Imputation of Justices, and the  
‘ Stirrers up thereof not punished; this perhaps, would touch  
‘ the Credit of those whose Credit, I think, cannot well be  
‘ Tainted.

‘ He that sits against me, (pointing at Mr. Bond) is my Coun-  
‘ try-Man; and I am sorry, he should thus lose his Way: But  
‘ my Conscience tells me, *Amicus Socrates, amicus Plato; sed*  
‘ *magis amicus veritas.* Two dangerous and seditious Speeches  
‘ have been made by him: But I hope, the House will not con-  
‘ ceive so basely of Justices of the Peace, or their Authority, who  
‘ deserve well of Queen and Country, because it comes from him.  
‘ I say no more. I know what it is: Howsoever, it is a Luxu-  
‘ rious Speech, and not to be suffer’d. In speaking against the  
‘ Bill, he shewed the little good Will he had to the Passage of  
‘ the Bill. He likened his Speech to Paphnutius’s Speech, who

D d d d

‘ spake

Mr. Hyde for  
the Bill.

The Bill com-  
mitted.

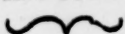
Mr. Doyley  
moves against  
the Slanderers  
of Justices.

Mr. Mounta-  
gue seconds.

Mr. Glascock’s  
Protestation.

Sir Francis  
Hastings a-  
gainst them.

An. 1601.



Mr. Bond's Apology for himself.

A Bill against Abuses in Inns, &c.

Sir Walter Rawleigh against it.

' spake in a *General-Council* to defend *Religion*; but this Man speaketh to Oppugne it.

' Have we now lived *Forty Three Years* under Her Majesty's Happy and Religious Government, and shall we now dispute, Whether it is fit to come to the Church? Parry desired no more, who in that Place (*Pointing to the Right Side of the Chair*) so soon as the Bill touching *Seminaries* was brought in, called it a *Bloody Bill*, a *Tyrannical Bill*, a *Bill of Confiscation of Goods*. I pray how far stretcheth this *Grande Jugum*? But to a poor *Twelve Pence*. The Speech was Insolent; and in regard to Her Majesty's Honour, I wish it might be answer'd There, (*Pointing to the Bar.*) And the House said, No, No, No.

Mr. Bond said: 'I would be loth, that any Speech of mine should offer any offence, being spoken in the behalf of the Country for which I Serve. I know their grievous Complaints against the Execution of Laws by *Justices*. The word, *Luxuriant*, as I used it, I wish may be Construed in this Sense: *All Penal Laws refer their Execution to Justices of the Peace*. In that Respect, because the Authority of *Justices of the Peace*, seemed to me to be too Powerful over the Subject; in that Respect, I thought it *Luxuriari*: But I think far otherwise of these Church-Neglecters.

Mr. Martin said: *Luxuriari is to abound, and therefore the Poet saith, Luxuriatur agris. And I wish, all those that would slander Her Majesties Government, by Colour of their Authority, in Oppressing the Subjects; that they may Perish.*

A Bill against Drunkards, and common haunters of Ale-houses and Taverns; upon Ingrossment it was Read, and Passed.

A Bill for Reformation of Abuses committed, in Inns, Taverns, Ale-Houses, and Victualling-Houses, was Read. To which,

Sir Walter Rawleigh said, 'That if a Man had a Mannor which might inquire for the Defaults of Ale-selling by full measure, This Privilege was now lost by this Bill. Another, there was a disability for ever after, of being an Inn-Keeper. How dangerous this might be to the Inheritance of those that had Inns, some at *One Hundred Pounds per annum*; and how dangerous to the Inn-keepers, that might by negligence of a Servant suffer, he left that to the discretion of the House.

Mr. Browne of *Grays-Inn*, shewed, That *Sixteen Hundred Quarters of Malt* was saved by this course taken in *Somerset-shire*; that Mr. Phillips could testify, who is now *Knight of the Shire*. And that in *Wells*, the Lord Chief Justice of England affirmed, That *Fifty Quarters of Malt*, and *Fifty Quarters of Barley* were saved in one Year.

Mr. Serjeant Harris said: *If two False Witnesses come before a Justice, and swear against a Man for a little short Measure, he is without Remedy; and every Punishment ought to be Secundum qualitatem*

litatem delicti: And for so small a Matter, Disability is too great a Punishment.

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A Bill to avoid the Double Payment of Debts upon Shop-Books, was Read.

Mr. Browne of Grays Inn found, indeed, a considerable Fault in this Bill, by reason of the Generality, which was Debts, and not set Debts upon Shop-Books. So it was found to be true, and the Bill was like to be cast out; for the House would not have had it mended.

Sir Robert Wroth said: I have been of this House these Forty Years; and ever knew, that a Bill before Passage might be Amended: So it was in the Bill for Tillage, the Last Parliament. wherefore I would wish, That it might rest until to Morrow, and then to be Amended. And all cried, I, I, I.

On Thursday, Decemb. 3. A Bill for the Repairing and Amending of Two Bridges over the River of Eden, in the County of Cumberland, adjoining to the Walls of the City of Carlisle; was Read the second Time, and Committed: The Place appointed for Meeting, was, the Checquer-Chamber, to Morrow in the Afternoon.

A Bill for Curriours.

A Bill for Strengthening the North-Parts, and for Building of a Peer at New-Haven, Read the second Time, and Committed: The Committee to Meet in the Exchequer-Chamber, to Morrow in the Afternoon.

A Bill to avoid Idleness, and for setting the Poor on Work: Which Bill is in manner of a Monopoly; for there be certain named in it, who undertake to keep Fifty Thousand Poor on Work, in making Pins, Wool-Cards, Needles, &c.

A Bill for Reformation of Abuses in Buying and Selling of Spices, and other Merchandises, was brought from the Committee, and Ordered to be Ingrossed.

A Bill for the Enlargement of a Jointure to Rachel, Wife of Edward Nevill of Burling, in the County of Kent, Esquire.

A Bill for the Perfecting of the Jointure of the Lady Bridget, Countess of Sussex, Wife of the Right Honourable Robert Earl of Sussex, Read and Committed.

A Bill for the Confirmation of the Sale of certain Lands, sold by Lewis Lord Mordant, &c. Read and Committed to the former Committees.

Mr. Edward Mountague said: Mr. Speaker, I will make a Charitable Motion, which I hope will tend to a Charitable End; and briefly, it is this: That no private Bill may Pass in this House, but the Procurers to give something to the Poor.

Mr. Mountague's Charitable Motion.

Mr. Secretary Cecil said: My Motion is stirred up, with the like Charitable Affection, which first moved the Gentleman that last spake; only I disagree from him in the Manner. We see the Streets full of Souldiers, some Maimed, some Poor; but all Distressed. Our ordinary begging Poor are all Provided for, and Statutes made for their Maintenance. I would only

Secretary Cecil seconds it, with some Alteration.

D d d d 2

move



An. 1601.

Mr. *Messenger* for the  
same.

Mr. *Mountague* particu-  
larizes the  
Sums.

Mr. *Danner's*  
Speech, and  
Motion a-  
gainst the Pi-  
rates of Dun-  
kirk and New-  
port.

'move thus much to the *House*, That this Contribution proce-  
'ding out of our Charity, might be only imployed to the Re-  
'lief of them who have ventured their Lives to defend Us.  
The House said it was a good motion, and so generally agreed  
unto it.

Mr. *Richard Messenger* said: 'I would but move the House  
'only, that they which have already had any Bill passed this  
'House, this Parliament, may also be Contributory, as well as  
'they which are to come.

Mr. *Mountague* said: 'Because I offered to the Consideration  
'of this House, this motion first, I will presume also more par-  
'ticularly to deliver my Opinion. I think, for every private  
'Bill for Sale of Lands, *Ten Pounds*, a reasonable Benevolence;  
'and for every Estate for Life, or for Jointure, *Five Pounds*.

Mr. *Ravencroft* said: *I would only move to know, whether this*  
*should remain as a perpetual, or temporary Order for this Parlia-*  
*ment?*

Mr. Secretary *Cecil* said: *The House only means it for this pre-*  
*sent; and all said, I, I, I.* And so the Order was entred ac-  
cordingly.

Mr. *Dannet*, a Burgeſs for *Yarmouth*, said: Mr. *Speaker*, the  
*Duty that I owe to my Sovereign, and Country, makes me bold to*  
*crave your Patience to hear me.*

'The Matter that I shall speak of, is twofold; The First,  
'concerneth the honour of the Queen. The Second, the safe-  
'ty of our Country. Two very high points for me to handle;  
'and require a more Eloquent Discourse than I am able to  
'make. I will use no Circumstance, or with superfluous Mat-  
'ter abuse the time, which is precious, but to the Matter.

'I have been of the Parliament Five or Six times, and I have  
'alwayes observed by this House, (and I would willingly be  
'resolved by the Honourable about the Chair) that all the  
'Wars of Her Majesty are offensive, and I do not hear the con-  
'trary: How then comes it, that such a Number of Her Ma-  
'jesty's Subjects be Spoiled, Robbed, Beaten, Wounded, them-  
'selves taken and used with such extream Torture, Racked,  
'Carried away, Imprisoned, Ransomed, Fined, and some times  
'Executed, and all this time no Wars? But, give me leave to  
'say, for these Ten Years, I am sure, the Subjects of this Land  
'on the Sea-Coasts have undergone these Tyrannies. And by  
'whom? Even by two base Towns, *Dunkirk* and *Newport*.

'*Dunkirk* began with Two Ships, and are now increased al-  
'most to Twenty; they be at home at Supper, and the next  
'Day here with us. I must needs confess, that the great Charge  
'that I know the *Lord Admiral* is at Continually, by lying rea-  
'dy to take these *Pirates*, is much; but send to take them, they  
'straight Fly home. If our Ships return, they are straight  
'here again. I dare boldly say, they have done *England* more  
'hurt since they began, than all *France*, either in the time of  
'*Hen. 8. Edw. 6. or Queen Mary.*

'If

44 *Eliz.*

'If it be so, that these Two base Towns shall so affront the Power of this Land, I see no Reason they should be suffered: For it is a great Dishonour both to the Queen, and the Kingdom.

'I have heard many say, That the *Navy* of *England* is the Walls of the Kingdom: and yet, we suffer our Ships still to be Destroyed; some to be Burnt, some to be Sunk before our Faces.

'We may compare our Sea-men to Sheep, Feeding upon a Fair Mountain, in the midst whereof stands a Grove full of Wolves. Why, *Mr. Speaker*, we are so plagued with them, that they are so bold, as now and then to take our Harvest-Men tardy by Ambuscadoes.

'I speak it with Grief, and it was Reported unto me by a *Scottish-Man*, that Duke *Albertus*, and the *Infanta* should openly publish, That they would pull down so many of the Walls of *England*, that they would easily make an Entry: and it had been better for Sea-Coast-Men to have given the Queen an Hundred Subsidies, that they had been long since Suppressed.

'My humble Motion is, That it would please the House to enter into Consideration of these things, For the Honour, Good, and Safety, both of the Queen and Kingdom.

'*Mr. Peake* said: 'I must needs shew unto this House (upon so good an occasion offered) how grievously the Town of *Sandwich* (for which I serve) is vexed, and almost undone; insomuch, as that in that Town there is neither Owner, Master, nor Mariner that hath not felt it.

*Mr. Peake.*

'Her Majesty is continually at Charges; but what insueth or cometh of it, I never yet knew. In the County of *Kent* at *Shooters-Hill*, *Gads-Hill*, *Barram-Down*, &c. if there should be several Roberies Committed, and the Justices look nothing to it, it would be taken in ill part. Every day Men come home, their Goods, and all they have is taken away; yea, their very Apparel. And if the Ships might be also carried away; they would do it. This would be Amended and looked unto; we have need to Cherish this Subject: For I think him to be the best and most necessary Member of the Commonwealth, I mean the *Navigator*.

*Mr. Martin* said: I like not these Extravagant Speeches in the Manner, though I mislike them not in the Matter; they are like to Men whose Houses being on Fire, forgetting themselves, run out into the Streets like Mad-Men, for Help. That that Cottage of *Dunkirk* (the Flourishing Estate whereof, is a dishonour to our Nation) should so much offend us, when we never offer to oppress them, is a Marvail. I think there is no Man but understandeth the Grief, and no Man which readily knoweth the Remedy.

*Mr. Martin.*

'I wish, that those who first propounded this Matter to the House, had also laid down some Project, though never so small, of Remedy: otherwise such cursory Motions as these,

E e e

'cannot

An. 1601.

Secretary Cecil  
reconsiders the  
Motion.The Business  
is Committed.

Mr. Darnet.

A Bill against  
double pay-  
ment of Book-  
Debts.Mr. Locke be-  
gins to speak,  
falls a trem-  
bling, and sits  
down again.Mr. Bacon  
speaks to it.

Mr. Henshaw.

'cannot but be very Distasteful to the House.

'Mr. Hithe said: 'Within these Twelve Dayes, one Man lost Two Hundred Pounds only by the Dunkirkers, who took the same away from him.

Mr. Secretary Cecil said: 'My Speech shall only tend to advance the Motion of the Gentleman that spake first in this Point. If we would have Remedy, we are to consider two things. First, That it will be a Matter of Charge: and Secondly, That there must be a Distribution thereof: For the first, I leave it to you; for the second, it is out of my Element: withal I must excuse them that have Authority to Remedy this; for unless you would have a continual Charge unto Her Majesty, by having Ships to lye between Us and Dunkirk, it is impossible but that at sometimes these Robberies will be Committed. And I could very well agree to bring this Motion to some Head, being a Matter in my Opinion very Considerable, in a Committee. And all said, *I, I, I*.

Mr. Darnet said: 'I would only move the House, That some Masters of Ships and Sea-men might be sent for to attend the Committee. So it was agreed to be Committed, And the place and time appointed for Meeting, in the Exchequer-Chamber, on Saturday in the Afternoon.

A Bill for Levying of Fines, within the County of the City of Chester, Ingrossed, and put to the Question, passed, and then sent up by Mr. Secretary Herbert and others, with another Bill to the Lords.

Mr. Tate said: 'I would only move the House, That whereas an Information is Exhibited by the Earl of Huntington against a Member of this House, Mr. Belgrave by Name, into the Star-Chamber, containing no matter of Substance or Note, other than matter very dishonourable to this House: I therefore humbly pray, it may be referred, to be considered of by the Committee for the Privileges of this House. And all said, *I, I, I*. He delivered the Information to the Speaker.

A Bill for the Reuniting of Eye and Dunsden to the Mannor of Sunning, Read the second time, and Committed to certain Committees, in the Committee-Chamber presently.

A Bill for the Denization of certain Persons, viz. Josepho Lopo, &c. was Read, and put to the Question, and Ordered to be Ingrossed.

A Bill to avoid double Payment of Debts, was Read.

To this Bill Mr. Zacharias Locke began to speak, but for very Fear shook, so that he could not proceed, but stood still a while, and at length sat down.

Mr. Bacon speaking of this Bill, said, That Bills were wont to be Committed with Pleasure; but now we would scarce hear them with Patience. The Merchants Books, he said, were springing Books, every Year they would increase, &c.

Mr. Henshaw, amongst other Speeches said: 'That it was as easy to cross a Merchants Book, which a Man might see at all times, as to Give the Merchant a Bond; who when he had



'had many thrust together, perhaps, would intreat the Gentleman to come some other time for it, who if he should in the mean time Die, his Executors are without remedy, &c.

Mr. Serjeant Harris said: 'These Merchants Books are like Aarons Rod, ever Budding, and like Basingstoke Reckonings, over Night Five Shillings Six Pence, if you pay it not it is grown in the Morning to a just Noble This Debt, is a Sleeping Debt, and it will lull young Gentlemen into Merchants Books, with the Golden Hooks of being trusted by the Merchant, and his Expectancy after his Fathers Death. These are Matters dangerous, and I think hurtful; therefore I think it a good Bill, &c.

Mr. John Harris said: 'Where it is said, There can be no Wager of Law against a Merchants Book in London, it is true: But first the Merchant must Swear the Debt, &c.

Mr. Thomas Jones said: 'It is now my chance to Speak something, and that without Humming or Hawing. I think this Law is a good Law; Even Reckoning makes long Friends; As far goes the Penny, as the Penny's Master. *Vigilantibus non dormientibus jura subveniunt.* Pay the Reckoning over Night, and you shall not be troubled in the Morning. If ready Money be *Mensura Publica*, let every Man cut his Coat according to his Cloth. When his old Suit is in the Wain, let him stay till that his Money bring a new Suit in the Increase. Therefore, I think the Law to be good, and I wish it a good Passage.

Mr. Hackwell of *Lincolns-Inn* said: 'I am a Man of that Rank and Condition, that I never sell, and seldom buy, and pay ready Money; and the safest course this Bill offers to me for my particular.

'But the great Mischief that will redound by it to the Commons, is that which makes me speak. I am not Transported with such Vehemency; but if I may be answered, I will lay down the Bucklers. This Bill hath a good Face, but an ill Body. It hath a very good Head-piece, I mean the Title. It is like *Daniel's* Image; It hath a Head of Gold, a Body of Silver, Thighs of Brass, Legs of Iron, and Feet of Clay.

'If I may pray you to put on a great deal of Patience, for a little time; I will make it somewhat plain: We must lay down the Respects of our own Persons, and put on others, and their Affections for whom we speak, for they speak for Us.

'If the Matter which was spoken of, touch the Poor, then think me a poor Man: he that speaks must be sometimes a Lawyer, sometimes a Painter, sometimes a Merchant, sometimes a mean Artificer. Most Men desire forbearance; this Bill destroys it; which tends to the Gain and Good of the Creditor, and Good also of the Buyer: but seeking to avoid a Mischief, we fall into an Inconvenience.

'For the manner is unproportionable and unjust. If the Buyer be so negligent that he will not care to see himself dischar-

44 Eliz.

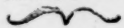
Serj. Harris.

Mr. John Harris.

Mr. Jones.

Mr. Hackwell.

An. 1601.



The Bill passed.

'ged, must we needs make a Law to help his folly? The Proverb is *Caveat emptor*. If this Law goes forwards, the augmentation of confidence in his ancient habilliments can not be preserved. For if it be a hard Year, the poor Artificer, who hath Wife and Children, and Household to maintain, and lives by the Sweat of his Browes, can not live; for he hath not money to buy all with the Penny; but perhaps he hath Credit, which perhaps may help his present necessitous Estate.

'And besides, I can teach you all a Trick, how for *Twelve Pence* you may avoid this Statute; and that is, File an Original Writ within the Year, and so let it lie dormant.

After which Motion, the House after four Hours Argument (and sitting till three quarters of an hour after Twelve) was divided. The *Ys*, *I*, *I*, *I*. had 151. Voices, and the *Noes* 102. so the Bill passed by 49. Voices.

Then the *Noes* should have fetched the Bill, and goe out with it, because it was at the passage of the Bill: but because the time was past, and it was very late, and several Committees to sit this afternoon, they were dispensed withal.

4.

On *Friday Decemb. 4.* A Bill for the Repealing of a Statute made 14. *Reginae* for the length of Kerfies.

A Bill touching Weights and Measures.

A Bill for the Confirmation of the Authority of the Mayor, Aldermen and Citizens of *London*, touching *St. Katharin's Creed-Church London*, was Committed, the place and time appointed for Meeting, *Doctors Commons*, on *Friday* next at two of the Clock in the afternoon.

A Bill intituled, an Act for the Assuring of the Patronage of the Vicarage of *Rotherston*, to *Thomas Venables Esquire*, brought in by Mr. *Clayfeild* of *Grays Inn*, who shewed, That all the Parties were agreed to the Bill, and called at the Committee to the Amendments, was put to the Question, and Ordered to be Ingrossed.

A Bill for Dreining of certain Grounds in the *Fenny* Countries, after Commitment, now brought in by Sir *Robert Wroth*, who certified the House only of one little Amendment, and the Omision of a long and Frivolous Proviso, was also put to the question and Ordered to be Ingrossed.

A Bill to prevent Perjury and Subornation of Perjury, and unnecessary expences in Suits in Law, after commitment yesterday, it was brought in by the Collector of this Journal, who was Chosen to Report it to the House.

He shewed, That the Committees had only put in the word [*That*] and commanded him to offer to the Consideration of the House, the substance of the Bill &c. and so he Recited it. As also, that there was Disputed an Exception, That no Suits might be removed that were under *Forty Shillings*; but for that, perhaps, it would be thought to be prejudicial to the Prerogative of the Courts at *westminster*, the Judges in the upper House would not so willingly assent to the Passage of this Bill.

Lastly,

44 Eliz.

Lastly, because by long and Antient Custome and Common Law, Suits might be Removed, &c. now being an Innovation, and because vve know not how beneficial this Law vvill be, therefore it vvas thought by the Committees convenient, that it should have a time of Probation, untill the end of the next Parliament: And so it vvas put to the Question, and Ordered to be Ingrossed.

A Bill for Reformation of Abuses in Sheriffes, and other inferior Officers, for not Executing Writs and Proclamations, was Committed; the time and place appointed for Meeting, the *Middle-Temple-Hall*, on *Monday* in the afternoon.

A Bill for making of Fustians vvithin this Realm and profit to the Common-Wealth by the same, vvas Committed, and the place and time of Meeting appointed, the Exchequer-Chamber, on *Tuesday* in the afternoon.

A Bill prohibiting Fairs and Markets to be holden on the Sunday, vvas Committed to the former Committees for the Sabbath; and the time of Meeting to be to morrow. Sir *Edward Hobby* said, *It pleased the House about the beginning of the Parliament, to appoint certain Committees, to receive the Complaints, and hear Causes touching the Privileges of the House; we have met, but never above three or four at one time together.*

*May it please the House, That the Committees Names may be Read, and that warning may be given to all to meet to morrow in the afternoon, at the Court of Wards, there to Debate those matters that shall happen questionable. And also, I am to move you, to take notice of an Information exhibited in the Star-Chamber, against a Member of this House, which it pleased you to Commit over upon Information thereof to be decided at the Committee: And all said, I, I, I.*

Mr. *Phillips* said, *It pleased the House to Commit a Bill, for Reformation or Explanation of the Law made 39. Regine. The Committees met, and entred into three Considerations: First, whether the Act of 39. Regine Intituled, An Act to Reform Deceits, and breaches of Trusts touching Lands given to Charitable Uses, should stand in force, or no, as now it is? And all generally agreed it should not.*

The Second vvas, vvwhether Reformation thereof should be by Explanation or Abrogation? And in the end it was concluded, it should be by Abrogation.

The third was, vvwhether it should be Abrogated by the general Repeal of Statutes, or that there should be a particular Statute for that purpose: And 'twas agreed, that it should be done by a particular Statute.

And for that purpose, being so Comanded by the Committee, I have drawn a Bill, referring it to the Wisdome of the House to be Considered of; The Title is, *An Act for the good Execution of Charitable Uses in this Statute particularly mentioned.*

Doctor *Cary*, and the Clerk of the Crown, brought a Bill from the Lords, for the Suppressing of the multitude of Ale-Houses, and Victualling-Houses; which was presently Read.

F f f f

Mr.



An. 1601.

Mr. Johnson upon hearing this Bill Read, said, *Methinks, there is an apparent Fault; and that is, the Bill gives liberty to Justices of the Peace to search, &c. which by the Generality thereof, is as well within Corporations as without; and therefore, good to be considered of.*

A Bill for continuance of divers Statutes, and for Repealing of some others.

Mr. Serjeant Harris, moved, That the Statute for Tillage, might be continued, and said, *If we shall continue and discontinue (upon every slight motion) good Laws, we shall do like little Children, which make Babies, then beat them, then pull them in pieces.*

A Bill for the Relief of the Poor, brought in by Sir Robert Wroth.

Mr. Attur-  
ney Coke.

The substance of the Information of which, Mr. Tate the last day spake of: And also Sir Edward Hobby this day. An Information by Edward Coke Her Majesties Attorney, who sheweth, 'That the Queen Calleth her Parliament, and that her self is 'the Chief Peer thereof. And that it was called for divers Weighty 'Causes and Matters. And therein further shewed, that the Town 'of Leicester in the County of Leicester, is an Ancient Burrough- 'Town. And that the said Burrough sends Burgesses to the Parlia- 'ment-House. And whereas the Parliament began the Twenty 'Seventh Day of October, and they Chose George Belgrave of Bel- 'grave Esquire in the said County of Leicester to be Burgess for the 'said Town, supposing the said George Belgrave to come with the 'good liking and free consent of the Earl of Huntington (with- 'out whose Advice the said Town neither hath nor will choose 'any Burgess) whereas indeed, he is a noted Enemy to the said 'Earl of Huntington, and finding and fearing they would not 'Choose him, because of the same, he the said Belgrave, against the 'said Election prepared & put on his back, a blew Coat with a Cog- 'nizance, being a Bulls-head set upon the sleeve of the same, and 'thereby they imagined him to be the said Earles man, Chose 'him as aforesaid. And the rather to make himself sure of the 'said Election, he offer'd, upon his Corporal Oath, to affirm 'that he was servant to, and in good Favour with the said Earl: 'with this lewd Practice, the said Earl being much grieved and 'offended, the same being being greatly to his prejudice (having 'the Election of a Burgess there) to the dishonour of Her Ma- 'jesty and the House of Parliament, that any Member thereof 'should be Chosen by such Covin and indirect Practice, Pray- 'ed, &c.

It was agreed, that the Subsidy-Bill should be Read to morrow, and the House called.

5.

On Saturday Decemb. 5. A Bill for the grant of Four intire Subsidies, and Eight Fifteens and Tenths, granted by the Temporality, Read.

Mr. Symmel said, *I am not against this Bill of Subsidie; for, far be it from me, that any such Thought should harbour in my Heart, for I am of that Opinion which Cicero the famous Orator was of, That who-*

whosoever would live in safety, must abide necessity. But all that I have to say is this, That we would be humble Suitors to their Honours that sit about the Chair, That it would please them to move Her Majesty; That that most gracious and general free Pardon which it will please Her Majesty to bestow upon us, might have no more shortness, than it had at the beginning of Her Reign; For if Her Majesty out of Her Goodness took Compassion upon us, when we had nothing so many Penal and Intrapping Laws, as we now have; I hope that seeing the Statutes do abound, it will please Her, That Her Grace would Superabound. This is my most humble Motion, and this I do most humbly Pray, That the House would Consider of it.

It was put to the Question, for the Passing of the Subsidy-Bill, and all cried *I, I, I.* and not one *No.*

And it was Moved by Sir Edward Hobby, That it might presently be sent up to the Lords with all the House, and not by the Privy Council alone, for the more honour thereof; which was well liked, and agreed unto.

Mr. Boyce, brought in the Bill touching the joynture of Rachel the Wife of Edward Nevil of Burling in Kent.

A Bill for the more diligent Resort to the Church on Sundays, was Read.

Mr. Roger Owen said: That he was of the same Opinion he before had been of, for Amendment of the said Bill; and that himself was as willing for the Passing thereof, as any other. And he desired, that his Errour, if it were Answered, might be judged Error Amoris, and not Amor erroris. And that as God had given him a Heart to understand, and Lights and Lungs to Cool the Heat of his Heart; so, God had given him Understanding to cool and temper the Heat of his Soul. And so he Proceeded, and made a brief Repetition, with some Arguments for Confirmation of the same Speech he first made.

Mr. Winch said: I much marvel, That the Gentleman which last spake, would speak against this Bill, allowing so well the matter. I know him well, and his Bringing up, and both his Sufficiency and Zeal, which I very well know, and am well perswaded of.

His Speech consisted of four Points: The first I heard not, The second was, because it repugned Magna Charta; The words being, *Nemo Capiatur, nemo imprisonetur, &c. nisi per pares, aut per legem terræ.* The third, because, in Repeal of the Statute of 1 Reginæ, Authority is taken from the Justices of Assize. The fourth, the 23 Reginæ not Repealed, &c. which he Answered all, but not fully.

Serjeant Harris, moved two Doubts in the Bill; First, That it was by Information, which appeared after to be *vitium Scriptoris*; for it was Information by Jury: now [by Jury] was written over [Information] in the interlining, and the Caret made before [Information] whereas it should have been after: the other was, That Ecclesiastical Jurisdiction was taken from the Queen, which indeed I could not find well Answered. So the Bill was put to the question, and the most Voices were *I, I, I.*

An. 1601

*At the Committee in the Afternoon in the House, for  
some Course to be taken against Dunkirk.*

Mr. *Fettyplace* shewed a remedy three manner of ways. First, there is a Transportation of Ordnance, which being carried to the Low Countries, he carrieth it to *Dunkirk*, or our Enemies: which if it were hindred, doubtless our Enemies would find want in time. Secondly, the Law of *Tonnage* and *Poundage*. Thirdly, it hath been offered to the State, that the Maritime parts might save themselves freely. And I take it to be a Rule in policy, We should not yeild that to our Friends which may be fitting to our Foes against us.

It was concluded at this Committee, that all the Coast-Town Men of the Committee, should meet together in the Afternoon on *Monday*, and consider of some Course, and relate the same to the Committee.

Mr. *wingsfield* shewed me the Bill Touching Fenns, which was Exhibited the last Parliament, and passed both Houses, but Advised upon by Her Majesty, for some respects, Entituled, *An Act for the recovering of Three Hundred Thousand Acres more or less, of wastes, Marish and watery grounds in the Isle of Ely, and in the Counties of Cambridge, Huntington, Northampton, Lincoln, Norfolk, Suffolk, &c.* On the left side, on the Top of the Bill was written, in Roman Letters, *Soit baylle as Signieurs*. And close to the same, in another hand, *A cest Bill avecque les amendments & la provision a celle Communes les Suis sont Assentu's*. And underneath the Provision, Annexed to the Act on the left side thereof, close to the writing, was written; *Soit baylle Aux Communes*, And on the back under the Title aforesaid was written thus.

.2.  
.3.

He shewed me also, the Bill for Fenns in this Parliament, intituled, *An Act concerning the Dreining and Recovery from the Water of certain over-Flown Grounds in the Counties of Norfolk, and Suffolk, &c.*

6. Sunday, December, 6.

7. On Monday, December, 7. A Bill for *Ludgate*.  
A Bill Touching the Countess of *Suffex* her Joynture.  
A Bill Touching *Cox* and *Dethick*.  
A Bill for the better making of Woollen Cloth.  
A Bill prohibiting Markets and Fairs to be kept on the *Sunday*, was brought in from the Committee by Mr. *Doyly*, and put to the question, and agreed to be ingrossed.  
A Bill concerning the Assize for Feuel, was read and Committed; the place of meeting the Court of wards; and to Morrow in the Afternoon, the time.

A Bill for the better Execution of the Good and Charitable



ble Uses hereafter in this Statute mentioned. It was Committed to the former Committees.

Mr. Bacon said: I am, Mr. Speaker, to tender to this House the Fruit of the Committees Labour, which tends to the comfort of the Stomack of this Realm; I mean the Merchant, which, if it quail, or fall into a Consumption, the State cannot Choose but shortly be Sick of that Disease. It is inclining already.

A Certainty of Gain, is that which this Law provides for. And by Policy of Assurance, the safety of Goods is Assured unto the Merchant; this is the Loadstone that draws him out to adventure, and to stretch even the very Punctillio of his Credit.

The Committees have drawn a New Bill, far different from the Old; the first limited power to the Chancery, this to certain Commissioners by way of Oyer and Terminer. The first, that it should only be there; this, that only upon Appeal from the Commissioners it should be finally Arbitrated. But lest it should be thought to be very vexatious, the party Appellant must lay in deposito, &c. And if upon Hearing it goes against him, must pay double Costs and Damages; we thought this course fittest for two Reasons:

'First, Because a Suit in Chancery is too long a course, and the Merchant cannot indure delays.

'Secondly, Because our Courts have not the knowledge of their Terms, neither can they tell what to say upon their Cases, which be Secrets in their Science, proceeding out of their Experience.

'I referr the Bills, both Old and New, to your considerations, wishing good Success therein, both for comfort of the Merchants, and Accomplishment of our desires. The Bill is, intituled. *An Act for Policy of Assurance used amongst Merchants.*

Sir Edward Hobby said: It was the good pleasure of this House, to referr the consideration of an Information Exhibited against a Member of this House, one of the Burgesses for the Town of Leicester; viz. Mr. Bellgrave: the Scope and purpose of which Information, pretendeth an Abuse to be done to this High Court.

The Gentleman himself was at the Committee, and did acknowledge the substance of the Suggestion, but denyed the Circumstance. Some of the Committees Censured it to be an Enormous fault, to invest himself (for so the words of the Information are) in a blew Coat: but others were of a contrary opinion, because they were satisfied upon Allegations Alleaded, that it was done *ad reducendam vexationem*, which had been offer'd unto him, and so he thought to right himself this way.

Besides, I am to inform the House, that this information is put in *Sedente Curia*, and therefore thought by the Committees some disgrace to the same. And, because this Gentleman should not take benefit of this Pardon; therefore the Information is now put in, as I said, *Sedente Curia*, which I wish the House to Note. And, because he should be debarred of remedy against the party, he hath therefore caused

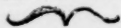
Gggg

44 Eliz.

Mr. Bacon reports, about a New Bill for Insurances, &c.

Sir Edward Hobby.

AN. 1601.



Mr. Bacon  
speaks against  
a Bill and dashes  
it.

the same to be Exhibited; in Mr. *Attorney-Generals* name.

May it please the House, because he desireth to be heard, and being now here, that he may speak for himself, in that he told the Committees he had some special matter to deliver unto you; and if he shall be found Culpable, he would most willingly abide your Censures. But because some other Bills were to be read, of importance, this was referred over till some other time.

A Bill for continuance of divers Statutes, and repeal of some others. Mr. *Francis Moor* desired it might be read, and also the Exposition of the Justices upon the Statute of 39. *Regina* concerning Rogues; which if it please the House, he thought fit to be Annexed to that Statute.

Mr. Bacon said: *There were never yet but two Articuli; the one Articuli super Chartas, when the Sword stood in the Commons Hands; the other Articuli Cleri, when the Clergy of the Land bare sway, and that done upon deliberation and grave advise.*

*I beseech you remember, these are done by Judges, and privately, and perhaps in a Chamber. And shall we without scanning, or view, Enact them? It befits not the Gravity of this House.* And so after a long speech, dashed it.

Doctor Stanhop and Dr. Cary, brought a Bill from the Lords, Intituled, *An Act for the more Peaceable Government of the parts of Cumberland, Northumberland, Westmorland, and the Bishoprick of Durham.*

A Bill to prevent the double-payment of Debts, sent up to the Lords by Mr. *Comptroller* and others. And a desire withall, to have a conference with some few Touching the Bill sent from them of *Eye* and *Dunsden*, to be re-united to the Mannor of *Sunning*.

The cause of this Conference, came from a Motion made by Mr. Serj. *Harris*, who said, That for some especial cause and interest, it was desired (which I learned after what it was, by Mr. *Fettyplace* Burgeiss of *London*) that there was an admitting of all Assurances; so the *Londoners* barred of their right, which they had, by reason this *Eye* and *Dunsden* were part of the Land assured to the City of *London* for the Loan of Twenty Thousand Pounds Lent to the Queen, to be repaid at a certain time. And, if this Act should thus pass, they were barred.

The Lords returned word, That Ten of them would meet. And so Twelve of our House were Chosen to meet them, to Morrow in the afternoon.

Mr. Bacon.

Mr. Bacon, 'upon a question that should have been propounded to the House, whether the Statute 39 *Elizabeth* Touching Charitable Uses, should be the General Act, or the particular Act Exhibited by Mr. *Philips*, said, amongst many other things: That the last Parliament, there were so many other Bills for the Relief of the Poor, that he called it a *Feast of Charity*. And now this Statute of 39 *Elizabeth*, 'having done so much good, as it was delivered to the House. 'And the Lord Keeper, having told him, that he never re-

'voked

'voked but one decree of the Commissioners, we should do a  
'most Uncharitable Action to repeal and subvert such a mount  
'of Charity; and therefore said, *That we should rather tenderly*  
'*foster it, then roughly cry, away with it.*

'I speak (quoth he) *Mr. Speaker*, even out of the strings of  
'my Heart, which doth Alter my ordinary Form of speech;  
'for I speak not now out of the Fervency of my Brain, &c.  
'So he spake something more against the Bill, put in by *Mr.*  
'*Philips* for Repeal, by reason Bishops Lands were put in, and  
'Inrolments, which he said, was a good Fetch and Policy for the  
'sole practices of the Chancery.

*Mr. Philips* answered, 'That he would not speak as he had  
'spoken, rather out of Humor than out of Judgment; neither  
'had he brought to the House a Market-Bill, or Mercers Bill  
'concerning the State. And so after many perswasions for  
'the Bill, and bitter Answers to *Mr. Bacon*, he ended with a  
'desire, to put it to the Question, whether it should be Re-  
'pealed by the publique Act, or his private Bill.

*Mr. Johnson* moved, That the Question might be, Whether  
it should be as well in the General Law, as the particu-  
lar?

*Mr. Glascock* said: 'I think the Gentleman that last spake  
'(*Mr. Johnson* a surveyor) hath better Skill in Measuring of  
'Land, than Mens Consciences. I think it is a good Law, and  
'fit still to stand on Foot: For if we lose Religion, Let us lose  
'Land too. It will be a good Cause, That every Man, if not  
'for Religion sake, yet for his Lands sake, which is his whole  
'estate, will Abandon the setting up of those Houses again, be-  
'cause he will not part there-with; therefore I think it in Pol-  
'licy fit still to stand.

So after long dispute, till almost one of the Clock, it  
was put to the Question, Whether it shall be Repealed by  
the General Law of repeal, and continuance of Statutes. And  
the most voices were *I, I, I*, and so it was Agreed.

On *Tuesday, December* the 8th, An Act prohibiting the Tran-  
sportation of Iron Ordnance beyond the Seas, by way of Mer-  
chandize, was Read.

*Sir Edward Hobby* said: 'I may resemble this Bill to a Gentle-  
'man, who told a Story of a Skillful *Painter*, who had Pain-  
'ted a Tree standing in the midst of the Sea; and the Judg-  
'ment of another Skillful *Painter* being asked, his Answer was,  
'*Valde bene sed hic non erat Locus*. So I say this Bill, is an Ex-  
'cellent Bill, the matter Foul, the request and remedy Good  
'and Honest; but this is not our mean of Redress.

'Her Majesty, in the late Proclamation, took notice there-  
'of; and no doubt but she will Redress it. And for us now,  
'to enter again, in bringing in, or allowing Bills against Mo-  
'nopolies, it is to refuse Her Majesties Gracious Favor, and  
'Cleave to our own affections.

'I think therefore, if we will be dealing herein, by Petition  
'will be our only Course; this is a matter of Prerogative, and  
'this no place to dispute it.

G g g 2 'Mr.

44 Eliz.

*Mr. Philips*  
against *Mr.*  
*Bacon*.

*Glascock* con-  
tra *Philips*.

A Bill to pro-  
hibit Trans-  
portation of  
Ordnance.

*Sir Edward*  
*Hobby*.



An. 1601

Mr. Fetty-  
place to the  
same Bill.

Mr. Fettyplace said: 'I know Her Majesty receiveth yearly  
'by Custom, for the Transportation of these Ordnance, *Three*  
'*Thousand Pounds* by the Year; there be four kind of Ordnance  
'now usually Transported: The first, a *Faulcon*, of the least  
'Weight and Bore. The second, a *Minnion*, a little heavier, and  
'of a bigger Bore. The third, a *Saker*, of somewhat a great-  
'ter Bore. And the fourth, a *Demy-Culvering*, being of the great-  
'est Bore.

'Now, Mr. Speaker, they that do Transport Ordnance, do  
'Transport in this manner: If it be a *Faulcon*, She shall have the  
'weight of a *Minnion*; and so if a *Saker*, the weight of a *De-*  
'*my-Culvering*; the Reason thereof is, Because when they are  
'brought beyond Sea, they will there new bore them to a great-  
'ter size; as, the *Saker* to the *Demi-Culvering*-Bore.

'Besides, Mr. Speaker, Eight Tun of Iron Ordnance, will  
'make five Tuns of good Iron.

'But perchance, it will be Objected, That if we Refrain the  
'Transportation of Iron Ordnance, they will use Brass.

'I say, under Favour, That they cannot, because they want  
'Brass.

'And again, where you may furnish a Ship for 200. or 300.  
'Pounds with Iron Ordnance, you cannot furnish Her with  
'Brass Ordnance for 1400. Pounds. And it is now grown so com-  
'mon, that if you would send Merchandise beyond the Seas in  
'strangers Bottoms, they will not carry them, unless you will  
'ballast their Ships with some Ordnance.

'The Ordnance be carried to *Callis*, *Brest*, *Emden*, *Lubeck*, *Rochel*,  
'and other places. All these be Confederates with *Spain*, and  
'friends with *Dunkirk*. So that in helping them, we do not only  
'hurt our *Friends*, but succour the *Spaniards*, their Friends, and  
'our Enemies.

'If the Queen, would but forbid the Transportation of Ord-  
'nance for seven years, it would breed such a Scarcity of Ord-  
'nance with the *Spaniard*, that we might have him where we  
'would: some in that time, no doubt, the Sea would devour;  
'some would be taken, and the Store which he now hath, scat-  
'tered, and thereby his Force weakned. They have so many  
'Iron Ordnance in *Spain* out of *England*, that they do ordinarily  
'sell a 100. weight of Iron Ordnance, for seven Duckets and an  
'half, *Spanish*. And if the *Spaniard* do make it a Capital mat-  
'ter, but to Transport an Horse or a Gennet, much more ought  
'we to have special Care herein, when we shall hereby  
'Arm our Enemies against our selves.

'I think therefore, to proceed by way of Bill, would favour  
'of Curbing Her Majesties Prerogative: but to proceed by way  
'of Petition, it is a safe Course, and pleasing; and we ought  
'the rather to be induced thereunto, because we have already  
'found it Successful.

'Mr.

Mr. Brown the Lawyer said: 'There is a Law already in the point. And that is 33 Hen. 8. Cap. 7. and 2 Ed. 6. Cap. 36. which prohibiteth the Transporting of Gun-metal. And although Guns were not then made of Iron, yet now they are. And therefore perhaps you will say, it is out of the Statute.

'But it was lately adjudged, in Worlington and Symon's Case, to be clearly within the very Letter of the Law. And I am sure, Guns are made of Gun-metal; and whosoever Transporteth Guns, transports Gun-metal, and it is within the danger of the Law.

'But that which I would move, is, only this; That we might be Petitioners to Her Majesty to revoke that Patent: And then *Curvat Lex*.

Sir Walter Rawleigh said: 'I am sure heretofore one Ship of Her Majesties, was able to beat twenty Spaniards; but now by reason of our own Ordnance, we are hardly matched one to one. And if the Low-Countries should either be subdued by the Spaniards, or yeild unto him, upon a conditional Peace, or shall joyn in Amity with the French, as we see them dayly inclining, I say there is nothing so much threatens the Conquest of this Kingdom, or more, than the Transportation of Ordnance. And therefore, I think it a good and speedy course, to proceed by way of Petition, lest we be cut off from our desires, either by the Upper House, or before, by the short and suddain ending of the Parliament.

Mr. Cary said: 'We take it for an Use in the House, That when any great and weighty Matter, or Bill is here handled, we straight-ways say, *It toucheth the Prerogative*, and that must not be medled withal; and so, that we that come here-to do our Countries Good, bereave them of that good help we may justly Administer unto them.

Mr. Speaker, *Qui vadit planè, vadit Sanè*: Let us lay down our Grievs in the Preamble of the Bill, and make it by way of Petition, and, I doubt not, but Her Majesty, being truly informed of it, will give her Royal Assent.

Mr. Secretary Herbert said: 'The making of *Armentaria*, is a Regality, only belonging to the Power of the King and Crown of England; and therefore no man can either Cast, or Transport without License. It stood perhaps with the Policy of former times, to suffer Transportation: But as the times alter, so doth the Government; and now, no doubt, but it is very hurtful and pernicious to the State. And therefore, I am of Opinion, That it is very fit this Transportation should be staid. And I concur only with them, which would have it by way of Petition, and not by Bill.

Mr. William Hackwell of *Lincolns-Inn* said: 'I know the Authority of the worthy Councillor that last spake, will ingeminate your Censures to yeild to his Objection: Yet notwithstanding, I beseech you, to suppose him to be a man of my Condition, or me to be a man of his Sort; so I doubt not but, our Persons being equalized, the matter will soon be Decided.

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'Where

44 Eliz.

Mr. Brown for the Bill by way of Petition.

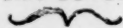
Sir Walter Rawleigh for the same.

Mr. Cary, for the same by Bill.

Secretary Herbert for proceeding by Petition, to prohibit Ordnance.

Mr. Hackwell.

An. 1601.



Sir Francis  
Hastings for  
Petitioning it.

Sir George  
Moore for Pe-  
tition.

Mr. Laurence  
Hide is to pro-  
ceed by Bill in  
it.

Mr. Comptrol-  
ler pleads for  
Petition.

Mr. Smale for  
the Bill.

‘Where he saith, Transportation is necessary to aid our Friends, and retain their Alliance. I Answer, this is the Subtlety and Covetousness of our Friends, who finding the Inestimable Gain and Treasure they get by Ordnance brought from us, do not only desire them for Gain, but also, to gain to themselves Confederates, by which means Succouring our Friends, we Aid our Enemies. For look whatsoever we give them, we deduct from our selves.

‘Now, let us stop this Transportation of Ordnance, and that greatly weakens their Forces, by which means, they will never be able to encounter us hand to hand. Our Ordnance, that precious Jewel of this Realm, (even worth all we have) is familiarly sold in the Countries of our Confederates, as any thing within this Land; but this being stopped, they will be forced to take Supply from their Ports to their Ships; from their Ships to the Field, and from the Field to other places.

Sir Francis Hastings said: ‘How swiftly and sweetly Her Majesty apprehended our Grievs, I think there is no Subject but knoweth. For us then to deal in a matter so highly touching Her Prerogative, we shall not only give her Majesty just Cause of Offence, but just cause to Deny our Proceeding by Bill.

‘I think, therefore, by laying open our Grievs in a Petition, it will move Her Majesty as much, being a Cause of this Consequence, as our first Motion by Mr. Speaker, hath done. And therefore, I am of Opinion, there is no way but this for our safety.

Sir George Moore said: It is a vain thing to Dispute of the matter, when the manner only is in question: and as vain to lose the matter by our long Dispute of the manner. The late Experience of Her Majesty’s Love and Clemency towards us, and Care over us, striketh such an awful Regard into my Heart, I wholly dislike this Proceeding by Bill, and do only Approve of the former motion, by way of Petition.

Mr. Laurence Hide said: ‘It is doubted by some, this Bill will not Pass, by reason of the suddain ending of the Parliament: For that I think, if we give not too much scope to private Bills, This Bill would quickly Pass; and I see no Reason, but we may proceed by Bill, and not touch Her Majesties Prerogative; For Her Majesty is not more careful and watchful of Her Prerogative, than the Noble Prince, King Henry 8. Her Father, and King Edward 6. Her Brother, were: Then there was no doubt nor mention made of Prerogative. And therefore I think our soundest and surest Course is by way of Bill.

Mr. Comptroller said: ‘I wish we should deal in such manner, as we may have our desire. And that in Duty we should proceed to speak unto the Queen by way of Petition, and not by way of Bill and Contestation. We must Note, that Her Self and Her Prerogative will not be forced. And I do not hold this Course by Bill, to stand either with Respect or Duty.

Mr. Smale of the Temple said: ‘I would but move thus much  
‘to



‘to the House: If we let slip this Law, and proceed by way of  
‘Petition, then there is no Law to Prohibit, but the Law of 33 Hen.  
‘8. and 2 Ed. 6. and those Laws give so small a remedy, that it  
‘is no Recompence for the loss of the thing.

Mr. Serjeant *Harris* said: ‘It hath been thought, that the for-  
‘mer Statutes do not reach to Ordnance made of *Iron*. But may  
‘it please the House to Commit the Bill, there shall be shewed  
‘to the Committee *Four* or *Five* Precedents, and late Judgments,  
‘that *Iron Guns* comes within these Laws.

Mr. Solicitor *Fleming* said: ‘The Gentleman that last spake,  
‘said very true; For it was lately in *Michael’s* Case in the *Ex-  
‘chequer*. So it was Committed, and the time appointed for  
‘Meeting, to be this Afternoon in the House.

Mr. *Belgrave* said: ‘Mr. *Speaker* modestly forbids me to speak  
‘in mine own Case, that so nearly concerns me; but necessity  
‘compels me to Appeal to this High Court.

‘True it is, there is an Information Exhibited against me in  
‘the *Star-Chamber*, by the procurement of an Honourable Person  
‘of the Upper House, (the Earl of *Huntington*) in the Name of  
‘Mr. *Attorney-General*, for a Misdemeanor Committed to this  
‘Court.

‘The Substance of that Information I do Confess, yet I am to be  
‘an humble Suitor to this House, to understand, Whether an In-  
‘formation is to be Exhibited (this House sitting) against any  
‘Member thereof? And for my own part, I do submit my self  
‘to abide such Censure, as this House shall think in their Wis-  
‘domes convenient.

Sir *George Moore* viewing the Information, said: ‘I find the  
‘words thereof to be against the High Court of Parliament,  
‘which is as well the Upper-House, as this House. And there-  
‘fore I wish, there might be a Conference with the Lords  
‘therein. For this House is but Part, and a Member of the Par-  
‘liament; and therefore we solely cannot Proceed.

Mr. Serjeant *Harris* said: ‘In 36 Hen. 8. when *Ferri’s* Case  
‘was, who was a Member of this House, Did we not Proceed  
‘without any Conference with the Lords? Here ought to be  
‘*Libera Suffragia*, and no man of this House to be Chosen by  
‘Friends, or Mediation of any Great Man. Neither ought we  
‘to be tied by any Blew-Coat in the World; but as our Per-  
‘sons are Priviledged, so should our Speech be. And therefore  
‘I see no Reason to Confer with the Lords, when we may pro-  
‘ceed of our selves.

Sir *Edward Hobby* said: If the Case were but plain of it  
‘self, I should be of the Gentlemans mind that last spake; but  
‘I am given to understand, and also desired to Inform the House,  
‘That this Information was put into the *Star-Chamber* by some  
‘kind of Order from the Lords, and therefore very conveni-  
‘ent a Conference should be had.

Sir *Francis Hastings* (Brother to the Earl of *Huntington*) said:  
‘To enter into consideration of this Cause by report, I will; and  
‘otherwise I cannot. I know no man but respecteth the Ho-

H h h 2

nourable

44 Eliz.

Serj. *Harris*.

Solicitor  
*Fleming*.  
The Bill Com-  
mitted.

Mr. *Belgrave*  
moves his own  
Case.

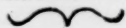
Sir *George*  
*Moore* desires  
there may be  
a Conference.

Serjeant *Har-  
ris* opposes it.

Sir *Edward*  
*Hobby* for the  
Conference.

Sir *Francis*  
*Hastings* re-  
ports the  
Case.

An. 1601.



'nourable Person himself. And for this Gentleman, Mr. Bellgrave, I ever took him, and so still do, to be a man of very good Carriage: To condemn him, I do not mean; but I humbly Pray, that a course for his Honour may be taken; and the matter so handled, that the Honour of the Person may be saved, the Gentleman freed from further Offence; and this Cause ended with good conclusion.

Mr. Dale said: '*Id possumus quod Jure possumus*; and therefore, resting in doubt herein, the safest course is a Conference.

Mr. Tate said: 'It is not good to utter suddain Thoughts in great matters; Our Dispute may seem to have this end, either to Incur the danger of our Priviledges, by not regarding this Cause; or, to pry too neer into Her Majesties Prerogative, by Examining Informations exhibited into the *Star-Chamber*; wherefore I think we ought to be Petitioners, (*nota verbum* Petitioners) or at least, to shew our Grievs to the Lords. And if by an Order from them, as was alledged, this Information was put in, methinks, in Reason, a Conference were good, to Examine the Cause, and inform this House truly thereof.

Mr. Skipwith  
for Belgrave.

Mr. Skipwith the Pensioner, said: 'If I knew or did think there were any Wrong done to the Earl of *Huntington*, I would rather be a Petitioner for this Gentleman, unto him, than I would be a Protector of him against him.

'I know Mr. *Belgrave* wrote his Letter to my Lord, and that it pleased his Honour to answer him: and that he offered to follow his Honour in that sort, as is fitting for a Gentleman of his Worth: and rather His Honour, than any mans in *England*.

'This, I take it, may satisfy the House for Answer to the first part of the Information, which containeth a Dishonour offered to the Earl.

'For the Second, which is, Deceiving of the Burgesses: I do assure this House, they were both willing and worthy to be deceived. I know they had given their Voices, and desired Mr. *Bellgrave* to undertake it.

'For the Wrong to this Court, I hope this Court hath wisdom enough to Right it self, without any Course in the *Star-Chamber*: yet by your Favours, I may say thus much, That if we should Punish him for coming Indirectly to this Place, we should Punish three parts of the House; for none ought to be Chosen, but those that be resident and sworn Burgesses of the Town.

Sir Robert  
Wroth brings  
a precedent.

Sir Robert Wroth said: 'This matter needs not so much Dispute. In the last Year of Queen *Mary*, in the Case between *Pleadal* and *Pleadal*, it pleased the Lords of the *Star-Chamber*, *Sedente Parlamento*, to bind the one, at the Suit of the other, to appear 12 days after the Parliament; and this was adjudged to be an Infringment of the Liberties of this House.

'Mr. *Davis* said: The Information favours more of Wit than Malice; and therefore I think, that upon Conference with the Lords, the matter may be brought to a good end. I therefore humbly

'humbly pray it may be put to the Question, and that the Bill may be sent for out of the *Star-Chamber*.

Mr. Cary said: As I take it, Mr. Speaker, the Course hath been, that if the House hath been desirous to see any Record, you, Mr. Speaker, should send a Warrant to the Lord-Keeper to grant forth a *Certiorari* to have the Record brought into this House: And upon view thereof, perhaps this matter of Dispute would have an end.

Sir Francis Hastings offer'd to speak again in this matter; but Mr. Bacon interrupted him, and told him, *It was against the Course of the House*. To which he Answered; *He was old enough to know when, and how often to speak*. To which Mr. Bacon Answered; *It was no matter for that; but he needed not to be so Hot in an ill Cause*. To which Sir Francis replied: *In several matters of Debate, a man may speak often: so I take it is the Order*. He (pointing to Mr. Bacon) talkes of Heat: *If I be so hot as he was Yesterday, then put me out of doores. The only thing that I would say, is this:*

'I wish a Conference may be had with the Lords, because the matter may be brought to some friendly end; For God knows what may lie in the Deck after the Parliament, and I suspect it the more, because the Information is filed, and no Process sued out.

Mr. Greenville said: 'I wish that in our Conference, we do not neglect our Privileges, and that we may be a means of Mediation.

So Mr. Comptroller, and others, were sent to desire a Conference, which was agreed unto by the Lords, and the time appointed to be on *Thursday Morning at Eight* of the Clock.

Mr. Speaker, said, 'I am to certify you from the Lords, of a great disorder committed by the Pages and Servants, as well of the Lords themselves, as of your Servants; So that not only Abuse is offer'd, but Weapons and Blood drawn. For remedy whereof, the Lords have given strict Commandment, *That their Servants keep peaceable and quiet Order: and that neither their Pages, Attendants, nor Servants; do stand upon the Stairs, or neerer the House than the Stair-foot*. They desire, that every Member of the House would do the like to their Servants, and so expressly to Charge and Command them. And I would move you, That you would be pleased the *Serjeant* might go forth, and signify so much from you unto the Company with-out; and all said, *I, I, I*.

Mr. Wiseman said: 'The disorder, Mr. Speaker speaks of, is now grown so great, that they have their Passes and Repasses; and men dare not go down the Staires without a Conductor.

So the *Serjeant* went and delivered the Message, and the Abuse was well Reformed.

The Bill for Assuring of a Joynture to the Countess of *Suffex*.

Mr. Serjeant Relverton, Dr. Cary, and Dr. Stanhop, came from the Lords; and Serjeant Relverton signified the Lords Desire of a

44 Eliz.

Sir Francis Hastings Speakes Again. Mr. Bacon interrupts him, And they contend a while with reproaches.

A Conference agreed by the Lords.



An. 1681.

Conference in the Bill for Patents made by the Queen, and Grants to her, &c. Which the Lords did the more Respect, because it was recommended to them from the House; the time appointed to Morrow Morning at Eight of the Clock: the Number 20. So after they went out, it was agreed, They should meet with a convenient Number; and then they were called in again according to the Ceremony of the House; and the Houses resolution deliver'd to them.

Mr. Serj. Harris said: Mr. Speaker; The Ancient Use hath been always to double or treble the Number. The last Committee were about Sixty. I think, by reason they were Committees, and are best informed, that they should attend the Lords. And so it was agreed. His conceipt was, *Sell the great Bell to buy the little Bell a Clapper.*

In the afternoon, in the House, the Bill for *Fustians* was to be debated; but by reason the *Devonshire-Men* made a Faction against it, after small Dispute, it was put to the Question; whether it should be further Disputed in? And most said, *No, No*; and there were some Six *I, I, I*, the rather for that it had a Prohibition for bringing of *Millan Fustians*; and also, a desire to be made a *Corporation*. But Mr. Francis Bacon, kept such a quoil to have the Bill concerning *Charitable Uses* put to the Question, which was then also to be debated, that this Bill was clean hush'd up.

On Wednesday, December 9. A Bill for Establishing of certain Conveyances and State of Lands, betwixt one *Sandis* and *Harris*.

A Bill Touching *Gavel-kind* Lands, ordered to be Engrossed.

A Bill for the Erecting of a Haven on the North-part of *Devonshire*, ordered to be Engrossed.

A Bill for the *Trinity-House*, Entituled, *An Act for maintenance of Shipping, and Increase of Sea-faring men*, committed, and the time appointed for meeting, is this Afternoon.

A Bill for the Confirmation of the *Mayor of London's* Authority in *St. Katharines*, &c. ordered to be Engrossed.

A Bill for the True making of Cloth, was committed; the time of Meeting, to Morrow, and the place, the *Exchequer-Chamber*.

After the reading of this Bill, Dr. *Newcoman* offered a Proviso to be added to the Bill, for saving the *Aulnazer's* Right, and the *Queens* Customs; & the House bade him keep it, & offer it to the Committee.

Sir Edward *Hobby* offer'd a *Brief* to the House, of the Conference that should be had with the Lords, Touching Mr. *Bellgraves* matter. The effect whereof being read to the House, was this, *viz.*

'The Conference with the Lords, must consist of two points. 'First, Touching an offence Committed by Mr. *Bellgrave*; Secondly, for the Infringing of the Liberty of the House.

'For the First, that the Commons would do nothing therein,

Sir Edward  
Hobbys Brief  
of Bellgraves  
Case, to be  
debated at  
the Conference.

'in, until a Conference with them. For the Second, to know  
'the reason of their Lordships appointment of the Informati-  
'on, and to bring it to some end. The House agreed to the  
'points, and allowed of them.

A Bill for the more peaceable Government of the Counties  
of *Northumberland, Cumberland, Westmorland*, and the Bishop-  
rick of *Durham*; the first Reading.

The points to be consider'd of, in the continuance of Sta-  
tutes, were read, and offer'd still to dispute, whether the Sta-  
tute of Tillage should be continued.

Mr. *Johnson* said, 'In the time of Dearth when we made this  
'Statute, it was not consider'd, that the hand of God was upon  
'us. And now Corn is Cheap, and if too Cheap, the Hus-  
'band man is undone, whom we must provide for; for he is  
'the Staple-man of the Kingdom, and so, after many Argu-  
'ments, he concluded it was fit to be Repealed.

Mr. *Bacon* said, 'The Old commendation of *Italy* by the Poet,  
'is, *Potens viris atq; Ubere, Gleba*. And it stood not with the  
'Pollicy of the Kingdome, that the wealth of the Kingdome  
'should be Engrossed into a Few Pasturers Hands. And, if  
'you will put in so many Provisoos as he desired, you will make  
'so great a window out of the Law, that we shall put the  
'Law out of the Window. The Husband-Man is a strong and  
'hardy Man, the good Foot-man, which is a Chief observa-  
'tion of good Warriours, &c. So he concluded, the Statute was  
'not to be Repealed.

Sir *Walter Rawleigh* said: 'I think this Law fit to be repea-  
'led; for many poor men are not able to find Seed to Sow  
'so much Ground as they are bound to Plow, which they  
'must do; or incur the Penalty of the Statute.

'Besides, all Nations abound with Corn: *France* offer'd the  
'Queen to serve *Ireland* with Corn at Sixteen Shillings a quar-  
'ter, which is but Two Shillings a Bushel; if we should sell it  
'so here, the Plow-Man would be beggar'd. The *Low-Country-*  
'*Man* and the *Hollander*, who never Sow Corn, have by their  
'industry such Plenty, that they will serve other Nations. The  
'*Spaniard*, that often wanteth Corn, had we never so much  
'Plenty, would never be beholding to the *English-Man* for it,  
'neither to the *Low-Country-Man*; nor to *France*; but will fetch  
'it even of the very *Barbarian*. And that which the *Barbarian*  
'hath been sueing for these 200 Years (I mean for Traficque  
'of Corn into *Spain*) this King in Policy hath set at Liber-  
'ty of himself, because he will not be beholding unto other  
'Nations. And therefore I think the best Course is, to set it  
'at Liberty, and leave every man Free, which is the Desire of  
'a true *Englishman*.

Mr. Secretary *Cecil* said: 'I do not dwell in the Country,  
'nor am I acquainted with the Plough. But I think that who-  
'soever doth not maintain the Plough, destroys the King-  
'dome.

'There was the last Parliament, great Arguments on this  
Point,

44 *Eliz.*

Mr. *John-  
son* about the  
Statute for  
Tillage to  
have it re-  
pealed.

Mr. *Bacon*  
opposes it.

Sir *Walter  
Rawleigh* to  
have it re-  
pealed.

Secretary *Ce-  
cil* of a con-  
trary mind.

An. 1601.

Point, and after a deliberate Disputation, the Passing of this Bill was concluded.

My Motion therefore shall be, 'That this Law may not be Repealed, except former Laws may be in Force and Revived. Say, that a Glut of Corn should be: Have we not a sufficient remedy by Transportation, which is allowed by the Policy of all Nations? I cannot be induced or drawn from this Opinion, upon Government of Foreign States; I am sure, when Warrants go from the Council, for levying of men in the Countries, and the Certificates be returned to us again, we find the greatest part of them to be Plow-men. And excepting Sir Thomas Moore's *Utopia*, or some such fained Common-wealth, you shall never find, but the Plow-man is chiefly provided for; the neglect whereof, will not only bring a general, but a particular indemnity to every man.

If, in *Ed. 1.* his time, a Law was made for the Maintenance of the Fry of *Fish*; and in *Hen. 7.* time, for the preservation of the *Eggs* of wild Foul, shall we now throw away a Law of more Consequence and Import? If we debar Tillage, we give scope to the depopulator; and then if the poor, being thrust out of their Houses, go to dwell with others, straight we catch them with the Statute of Inmates. If they wander abroad, and be stubborn, they are within the danger of the Statute of Rogues. If they be more humble and urgent Beggars, then are they within the Statute of the poor to be Whipped and Tormented: So by this means, undo this Statute, and you indanger many Thousands. *Posterior dies discipulus prioris.* If former times have made us wise to make a Law, let these latter times warn us to preserve such a good Law. All that I can say is, this Policy, Nature, Charity, and Honour, do desire of these Proceedings in Charitable uses.

Mr. Selby desired, that the County of *Northumberland* might be exempted out of the Statute, because it was so nigh the *Scots*; and the Country was so infested with the Plague, that, not only whole Families, but whole Villages have been swept away with that Calamity. And so he made a long Speech to that effect.

Mr. Serjeant Telverton; and Doctor Cary came from the Lords, to desire that the Conference touching *Letters Patents* might be prolonged, until Friday Morning at eight of the Clock, which was Assented unto.

It was put to the Question, whether the Bill for Tillage should be Committed? And most said *I, I, I.* Then whether *Northumberland* should be exempted upon Mr. Selbies Motion? And all said, *I, I, I.*

Another matter which the Committees for the continuance of Statutes doubted of, was, whether Mr. Dormer's Proviso should be put into the Bill for Tillage.

Mr. Davis said: 'May it please you, Mr. Speaker, the Gentleman is at the Door (Mr. Dormer by Name) ready to attend with his Council, to satisfy the House; and Prayed, they might be admitted; and all said, *I, I, I.*

Mr. Dodderige of Council, with Mr. Dormer, said: 'Mr. Speaker, 'It



44 Eliz.

‘It pleased Her Majesty to License Mr. *Dormer* under Her *Letters Patents*, with a *Non obstante* this Statute, to inclose 300 Acres of Ground. And he humbly prayeth the House, to accept and admit of this Proviso; for the Saving of his *Letters Patents*, the rather for these Reasons:

- ‘1. In respect the Ground inclosed, is a small quantity.
- ‘2. The Country is apt for Pasture, and not for Tillage.
- ‘3. This ground is a kind of Marsh ground, and too moyft and soft, and altogether unfit for Tillage.
- ‘4. In that Her Majesty hath granted her *Letters Patents*, & that they concern Her Prerogative. So he delivered the Proviso, and Mr. *Dormer* his *Letters Patents*, and went forth.

Mr. *Serjeant Harris* said: ‘*Ubi non est ordo, ibi est Confusio*; Mr. *Speaker*, divers Gentleman stand before the Door, which breeds a confused Sound when the question is propounded. May it please you, that every man take his place. This is both seemly, and the Ancient Custom; which they all did.

Mr. *Speaker* said: ‘I will put it to the Question, whether this Proviso of Mr. *Dormer’s* shall be received. It was put to the Question twice, and in my Conscience, the *I, I, I*, were the greater number: But the *Noes*, *Noes*, would needs have the House divided. So the door being set open, no man offered to go forth.

Mr. *Martyn* said: ‘Mr. *Speaker*, I have observed it, that ever, this Parliament, the *Noes* upon the division of the House have carried it; the Reason whereof, as I conceive it, is, because divers are loth to go forth for Fear of losing their Places; and many that cry *I, I, I*, will sit still with the *Noes*. I therefore do but move this unto the House, that all those that have given their *I, I, I*, would according to their Consciences, go forth. And for my part, I’ll begin. And so went forth.

Sir *Walter Rawleigh* rose up to Answer him, but Mr. *Comptroller*, Sir *John Fortescue*, and all the House seeing them, Rose up in a Hurry to go forth, and did not hear him. Whereupon, himself and Mr. *Secretary*, it seemed, and they of the *Noes*, took some displeasure, as may appear by the Speech after. The *I, I, I*, were 178. and the *Noes* 134. so the *I, I, I*, got it 44 Voices. And after the House was quiet.

Mr. *Secretary Cecil* said: ‘I am glad to see the Parliament so full, which used, towards the end, to grow thin. And therefore I think it convenient we agree of some good Orders.

‘The Reputation of this House hath ever been Religiously maintained, by Order and Government; but now Error hath so crept in amongst us, that we know not what is Order, what Disorder.

‘The Gentleman that last spake (meaning Mr. *Martin*) first brake Order; for after the Question put, and the House agreed to be divided, he spake perswadingly to draw those out of the House who perhaps meant it not.

K k k k

‘Be-

Secretary  
*Cecil’s* Notice of the Disorders of the House.

An. 1601



‘ Besides, he laid an Imputation upon the House, that according to their Consciences, men would not so much as remove out of their places: But I think there is no man here that is so Fantastical, that though they be for the Bill, yet for their Places sake, they will not alter their Rooms: For this House is a House of Gravity, Conscience, and Religion.

‘ I think it therefore fit, he should answer this Imputation at the Bar; we have all this Parliament, been against *Monopolies*, and now we our selves Protect one: But I see that men that have desired to be Popular, without the House, for speaking against *Monopolies*, do also labour to be private within; but that I regard not. This I know, that good sums of money have been profer’d for the furtherance of this Proviso.

‘ But now it is past, I would now move you, That because we have spent some superfluous time in this division, and because the Affairs of this Parliament cannot possibly be dispatched, so soon as the Parliament must end, because of the performance of that Gift we have given her Majesty, which is nothing, if it comes not in due time.

‘ Therefore, that the House would be pleased after this day, to Sit in the Afternoons, for we consume our best time now in unnecessary Disputation.

Mr. Comptroller's Reply to Cecil.

Mr. *Comptroller* said: ‘ I think that notwithstanding any thing that hath been last said, However our Orders have been heretofore broken, yet the Gentleman that spake (meaning Mr. *Martyn*) brake no Order of the House, by speaking: For the House favour’d him with Silence, and therefore admitted to him liberty of Speech.

‘ That his Speech was either Perswasive, or offer’d any Imputation to the House, I neither perceive it, or conceive it so; for it was only a Caution to the House, that former Orders were broken, and therefore now to be remedied and amended. And surely, for not removing out of Places, I have heard fault found before this time, and therefore the Gentleman is not now to be taxed.

‘ That this should be a *Monopoly*, I can see no Reason: For it hath been agreed, that Her Majesty may dispence with any penal Law; and that is no *Monopoly*, no more is this. And I am not of his mind, that so great sums of money have been offer’d, the quantity of Land being but little, and his Cause both good and just.

‘ And for my part, I do protest, I neither knew nor have heard of any. For the last part of his Motion, which was the best, to sit twice a day, I do concur with him; and will be ready, as a Member of this House, to give my Attendance.

Sir Walter Rawleigh resents their not giving him time to Speak.

Sir *Walter Rawleigh* said: ‘ I thought I had deserved of the House, to have been heard to speak, as well as he that spake before the Division. And in that I offer’d to speak, and was not heard, I had Wrong. For him that last spake out of Humour, and not out of Judgment, notwithstanding, I think it to be a *Monopoly*, and the Speech to be both Perswasive, and to lay

'lay a great Imputation upon the House. And this is all I would have said before.

Mr. Martyn offer'd to speak, and Asked the Speaker, *If he might Answer?* The House cried, *I, I, I.* No (quoth the Secretary) *you must stand at the Bar.* And the House cried *No, No, No.*

Then Mr. Secretary desired, it might be put to the Question, Whether he should speak or No? And so it was, and not *Twenty* said *No.* Then it was put to the Question, Whether he should speak at the Bar, or No? And Mr. Brown the Lawyer stood up and said, Mr. Speaker, *Par in Parem non habet Imperium*, we are all Members of one Body, and One cannot Judg of Another.

So being put to the Question, there were not above twelve *I, I, I,* that he should stand at the Bar.

Whereupon Mr. Martyn standing in his Seat, shewed the Cause of his Speech to have been, only for the Order of the House, and not out of any Perswasive meaning that he had; For he protested, he neither knew the Man, nor the Matter.

On *Thursday Decemb. the Tenth*, A Bill for the Denization of certain Persons, viz. *Joseph Lupo*, and others, was Read: And because the said *Joseph Lupo* had neither Father nor Mother *English*, the House respited the Bill.

A Bill for the *weavers*, was put to the Question, and Committed; the time and place of Meeting to be this Afternoon, in the *Exchequer-Chamber.*

The Bill for the *Affize for wood*, was Ordered to be Ingrossed.

The Bill touching the taking away *Gavel-kind*-Custom in *Kent*; was Read.

And Mr. Francis Moore said: 'He thought the Bill a very 'Idle and frivolous Bill, and Injurious; For, if a man take a 'Wife, by the Custome she shall have a Moyety; but now if 'we make it go according to the Common Law, she shall have 'but a Third part.

'So if the Father committed a Felony, and be Hanged; the 'Son shall not lose his Inheritance; because the Custome is, *The Father to the Bough, and the Son to the Plough*, which at the Common Law he should lose.

Mr. Serj. Harris said: 'I think this Bill a very good Bill; for it 'defeats a Custome which was first devised for a Punishment, 'and Plague upon the Country: For when the Conquerour 'came in, the Reason of this Custome, was, To make a Decay 'of the great Houses of the Old *English*; for if a man of 800. *l.* 'Per Annum. had eight Children, now it must be divided into 'eight Parts; And then, if they had Children, it must be 'subdivided again *usque in non quantum*, where, if it had gone 'to one, as by the Common Law, it would still have Flourished.

'Mr. Boys, amongst many Reasons shewed, It would in *Kent* 'be a great loss to the Queen, in her Subsidy; for by reason 'of these Subdivisions, there were many *Ten-Pound men.* And

K k k k z

'who-

44 Eliz.

A Bill about  
Gavel-kind,  
&c.

Mr. Moore a-  
gainst Repea-  
ling it.

Serj. Harris  
to have it Re-  
pealed.

Mr. Boy's of a  
contrary mind



An. 1601.

The Bill is  
Rejected.A Bill to Sup-  
press Tipling-  
Houses.

Mr. Moore.

Mr. Johnson a-  
gainst it.Sir Rob. Wroth  
against it.

'whosoever knows the state of our Country, shall find, more  
'under *Ten Pound* men, than above, come to the Queen;  
'and now, if these being divided into several hands, should now  
'go according to the Common Law; this would make the  
'Queen a great Loser.

This Bill being put to the Question, the *Noes* were the greater; yet the *I, I, I*, would needs go forth; and upon division, it appeared, the *I, I, I*, were but 67. and the *Noes*, 138. and so the Bill was Rejected.

The Bill for suppressing Ale-houses, and Tippling-houses, was Read.

Mr. Francis Moore offered a Proviso to the House, and shewed: 'That he was of Council, and had a standing Fee, from  
'the Corporation of *Vintners* in London; And shewed, That they  
'were an Ancient Corporation, and had ever used (by force of  
'divers Charters of Kings of this Realm) to sell *wine*; and now  
'by this Bill, all was inhibited. And therefore Pray'd the Pro-  
'viso might be received, which was received.

M. Johnson said: 'If this Bill should Pass, it would breed a  
'great Confusion of Government; for by this Law, the Justices of the County may enter into the Liberties of any Corporation, and License Sale of Wine and Beer. Besides, he must  
'be Licensed by four Justices; perhaps there be not four Justices in a Corporation. Admitting Power were not given to  
'the Foreign Justices; now when these four Justices have enabled him by this Law, they have no Power by this Law upon his misbehaviour to put him down; and so very Insufficient,  
'and impossible to be Mended.

Sir Robert Wroth said: 'The Bill is, *That no Man shall, &c.* but he  
'must be allowed in the *Quarter-Sessions* by four Justices. And  
'what pain and Charge this will be to a poor man, to go with  
'some of his Neighbours 20 or 30 miles for a License: And  
'what a monstrous Trouble to all the Justices, I refer it to your  
'considerations.

The Speaker certified a Message from the Lords.

Sir Edward Hobby said: 'We attended the Lords this morning, touching the Information against Mr. Belgrave; and in  
'the end concluded, That soasmuch as it concerneth Their as  
'well as Our Privileges, they desire some time to Consult; and  
'then will send us word of their Resolutions.

Doctor Stanhop, and Doctor Hone, brought a Bill from the Lords; Intituled, *An Act for the Stablisment of the Remainder of certain Lands of Andrew Kettleby Esquire, to Francis Kettleby.* And so they departed.

Mr. Spicer said: 'If I should not agree to the Substance of  
'the Bill, I were no good Commonwealths-man. And if I should  
'agree to the Form, I should scarce think my self a good Christian; for I may justly say of this Bill, *Nihil est ubi error non est.*

Mr. Laurence Hide moved, 'That in respect it came from the  
'Lords, we would give it a Commitment.

Mr.

Mr. Serjeant Harris said: 'If this Bill should pass, as was well said, we all should lose the Liberties of our Corporations: And Her Majesties Justices at the Sessions, should be troubled with Brables of Ale-Houses. The Statute of *Ed. 6.* hath had Approbation these half Hundred Years, and I wish we may not Repeal a good Law to make a worse.

44 Eliz.

Serj. Harris against it.

Mr. Richard Brown said: 'Wines heretofore have been at Ten Pound a Tun; and the Laws are, That Wines should be sold at Two Pence the Quart, and Her Majesty Receiveth One Thousand Six Hundred Pounds a Year Custom for them. If now this Statute should stand, that Four Justices should License the sale of Wines, this would be a wrong to divers Licenses, which are made by Patentees of her Majesty, and a beggaring of all Vintners. And he that now keeps an Inn; if he pleases not the Justices, he shall be turned out. And withal, there is a Clause of disability, which is most grievous.

Mr. Brown against it.

Sir Robert Wroth said: *It seems the House doth distast this Bill,* and I doubt of the Passing of it. I would but move the House to remember, That it is an Ancient Custom, that for Reverence sake to the Lords of the Upper-House, we only deny the Bill a Commitment, and so let it lye in the Deck, and not put it to the Question for Ingrossing.

Sir George Moore said: 'I will be bold to give my Reason, and leave the Consideration thereof unto you. I wish it might be Committed; for, for ought I hear yet, a Proviso might help all.

Sir George Moore against it.

'The Old Statute is, *The next Justice*; this is, *The Justices of the Quarter-Sessions*. It is intended, that all Justices every Quarter-Sessions give their Attendance. There have been oftentimes Letters from her Majesties Privy-Council, and Orders from Her Majesty her self, who looketh down with a gracious Eye upon the Meanest of Her Subjects, touching these Ale-House-Keepers.

'Therefore I wish, That we do not cast it forth, but give it the ordinary and due Consideration of other Bills, by way of Commitment.

Mr. Wiseman said: 'I am very Respectful of the Place from whence this Bill cometh; if the Parliament be short, as there's no other likely-hood; and time so pretious with us, that we Sit in the Afternoons: and this Bill Incurable, and not to be mended; and the former Laws so Politique, that I think we shall not make a better: for my part I think it needless to be Committed, but to be put to the Question.

'For the Point, that Four Justices of the Peace should License, &c. by this Statute, though they deserve to be suppressed; yet there is no Power limited of Suppression. Besides, there is a Statute that *Badgers* and *Loaders* shall be Licensed under — Justices hands in the Quarter-Sessions. I know my self, that even when the Justices are going out of Town, and even ready to take Horse, the Clerk of the Peace will bring 40. or 50. to be signed by one: and then another, he straight

An. 1601.

Mr. Bond  
moves for a  
Proviso.

' puts to his hand, because he will not stay; and knows no  
' more of the Man, or the Matter, than he that never read them.  
' And so would this Statute, if it should go forwards, be Abu-  
' sed.

' Mr. Bond said: ' If this Act pass for a Law, notwithstand-  
' ing any exceptions that have been taken; I humbly desire  
' you all, that one Proviso may be put in, and that is; That  
' no Retainer or Servant to a Justice of Peace, be admitted to  
' be an *Ale-house-Keeper*, *Vintner* or *Victualler*; unless he shall be  
' Chosen by a Jury of Twelve Men at the *Leet*, or *Lam-day* of  
' that Burrough-Town, wherein he desireth to *Victual*. I know,  
' and speak what I know very well, that more disorder, and more  
' Misrule is usually kept in the Houses of such kind of men,  
' than in all the Country besides, if this stand not for a Law,  
' order may be taken for such kind of Offences.

' The Law before, alloweth two Justices, I wish these Protecting  
' Justices may not have the same Power; for as some be Magi-  
' strates, so they are men. I know many Abuses touching Au-  
' thority given to men that be Tipplers. I am a *Devonshire-man*,  
' and I speak plainly from the Heart of him that hates Popery,  
' and despises Puritanism. I add further, that I am Her Maje-  
' sties Subject, to whose Sacred Self, I acknowledge my self in all  
' duty bound, and I Pray with the *Psalmist*, her Enemies *Con-*  
' *fundentur*.

Mr. Speaker, ' I know what I speak, and I have Reason to  
' speak thus, by Reason of some Imputation that hath been Of-  
' fer'd me by one whom in Charity, I Pray God Forgive.

Mr. Martyn for  
putting it to  
the Question.

Mr. Martyn said: ' The Gentleman that last spake, it seems spake  
' out of his Grief of mind in being galled by some Tongue-me-  
' tal. And I think there is no man that feeleth blowes, but  
' would be glad to be eased of them. I cannot therefore blame  
' him to purge and defend himself by this Apology. But that  
' hath led us out of the Ale-house. Yet I wish that we might  
' make a quick Return, by putting it, without further Disputa-  
' tion, to the question.

It is Rejected

So it was put to the Question, whether it should be Com-  
mitted, and all said *No, No*, but Mr. *Wingfield*, at which the  
House Laughed.

The Bill con-  
cerning Ord-  
nance called  
for.

Then the Questions upon the continuance of Statutes, were  
offer'd to be Read. But the House called for the Bill concer-  
ning Ordinance: yet the Clerk fell to Read the Questions, but  
still the House cried, *Upon the Bill for Ordinance*.

In Whom it  
lies to chuse  
what Bill shall  
be Read.

At length, Mr. *Cary* stood up and said: In the *Roman Senate*,  
' the Consul always appointed what should be read, and what  
' not; So may our *Speaker*, whose place is a Consul's place:  
' If he erre, or do not his duty fitting to his place, we may remove  
' him, and there have been Precedents for it. But to appoint  
' what business should be handled, in my Opinion we cannot.  
' At which Speech some Hissed.

Mr. Wiseman's  
Opinion.

Mr. *Wiseman* said: ' I Reverence Mr. *Speaker*, in his place:  
' But I make great difference between the Old *Roman* Consuls  
' and



‘and him. Ours is a municipal Government, and we know  
‘our own Grievances better than Mr. *Speaker*; and therefore ’tis fit,  
‘that every man *Alternis vicibus* should have those Acts be cal-  
‘led for, he conceives most fit: And all said, *I, I, I*.

Mr. *Hackwell* said: ‘I wish nothing may be done, but by  
‘Consent; that breeds the best Concordance. My desire is,  
‘The Bill for Ordnance should be Read; If you, Mr. *Speaker*, do  
‘not think so, I humbly Pray it may be put to the Que-  
‘stion.

Mr. *Comptroller* stood up and said: ‘I am sorry to see this  
‘Confusion in this House. It were better we used more Si-  
‘lence and spake in Order. Yesterday you ordered the Bill for  
‘the Continuance of Statutes should be Read; now in an hu-  
‘mor, you cry Ordnance, Ordnance. I pray you, that we first De-  
‘creed, let us stick to, and not do and undo upon every Idle  
‘motion.

Mr. Secretary *Cecil* said: ‘I will speak shortly, because it  
‘best becomes me; neither will I trouble your Patience long,  
‘because the time permits it not. It is a Maxim, *Præstat otiosum*  
‘*esse, quam nihil agere*. I wish the Bill for continuance of  
‘Statutes, &c. may be Read, and that agrees with the precedent  
‘Order of this House, and more with the Gravity thereof:  
‘yet, because this Spirit of Contradiction may no more trou-  
‘ble us, I beseech you let the Bill for Ordnance be Read: And  
‘that’s the Houses Desire.

The Bill against Transportation of Iron-Ordnance, Gun-me-  
‘tal, and Shot, was Read; And

Sir Robert *Wroth* Informed the House, That a Ship is now upon  
the River, ready to go away Laden with Thirty Six peeces of Ordnance.

It was put to the Question, Whether the Statute con-  
cerning the Poor should be continued, and all cried *I, I, I*.

Mr. Secretary *Cecil* said: ‘I am sorry that I have so great  
‘Occasion to Recommend to the Houses Consideration the  
‘miserable estate of Maimed Souldiers.

‘War is a Curse to all People, and especially the poor Creatures  
‘that come from the Warrs Poor, Friendless, and Unhappy. I am  
‘glad you are resolved this Statute shall be kept alive; where-  
‘by in some measure, those poor maimed Souls shall be provi-  
‘ded for; For, both Religion and Charity willeth us to fall in-  
‘to Consideration of Amendment.

‘I do not this out of Popularity, because I have been often  
‘times taxed by the men of War, and more than any Gentle-  
‘man of *England*. For when I have seen Souldiers deceived by  
‘their Captains, I have taxed them for it, and that makes me  
‘odious unto them. A Captain is a man of Note, and able to  
‘keep himself: but a Souldier is not.

‘I wish not any to think, that I do speak of all Captains, for  
‘I make a difference between the Corn, and the Chaff. The  
‘Statute is is, That the poor Souldier must be Relieved, either  
‘by the Country where he was Born, or out of which he was

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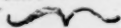
Mr. *Hackwell*’s  
Motion about  
it.

Mr. *Comptrol-  
ler* speaks a-  
gainst these  
Disorders.

Secretary *Ce-  
cil* Composes  
it.

Secr. *Cecil* a-  
bout Maimed  
Souldiers.

An. 1601.



' Pressed: But if that were amended, and only to be relieved  
' in the Country where he was Born, this would yield a more  
' certainty and greater Relief. For in a mans Country, either  
' Charity, Kindred, or Commiseration will breed Pity: But  
' out of the Country, where he was Prest, that cannot be ex-  
' pected. For the multitude prest out of some little Shire, grows  
' to be greater, and the Charge more than in some other three  
' Shires. As in *London*, where there be many Parishes, infinite  
' Housholds, and Numbers Prest: Besides, there be divers  
' Shires subject to great Levies, and the division so small, that  
' it is a meer trifle; as in *Lancashire*, in respect of the Vicinity to  
' *Ireland*, where the Disease of the War is. If it may please  
' you, that a Commitment may be had, I shall be ready to at-  
' tend it; at which time I will speak further. And so a Com-  
' mitment was appointed.

Mr. *Francis Moore* said: ' There is a Bill for the Reducing  
' of the two Statutes for Souldiers, into one; it hath lain in the  
' Deck this fortnight: If it had been Read, it might have been  
' Committed.

Mr. *Swale* a-  
bout the Tax  
for *Dover-Ha-*  
*ven*.

Mr. *Swale* said: ' There was a Doubt, whether the Tax for  
' *Dover-Haven* should be continued by force of the Statute;  
' the Tax is of *Three Pence* a Tun for the burthen of every Ship:  
' He said, That the Seamen and Merchants, for want of sufficient  
' maintenance, were turned to Fisher-men. And the Fisher-man,  
' if he made but two Tuns of Trayn-Oyl with the Blubber of  
' *New-found-Land* Fish, this causes the Ship to be Taxed for the  
' whole Burthen; which is grievous to the Subject: Much  
' Money hath been Levied, It comes to at least *One Thousand Marks*  
' a Year, and the *Haven* never the better. Nay, Mr. *Speaker*, it  
' is grown into a Proverb, If a Tax be once on foot, God sheild  
' it continues not as *Dover-Haven*.

Mr. *Boys*  
pleads to con-  
tinue it.

Mr. *Boys* said: ' There was great Reason to continue the Tax,  
' in respect of the continual maintenance of the *Haven*, which  
' is the best in *England* for all Necessities: It will ship as  
' many men in three hours, as any other *Haven* in a day. And  
' he said, That besides former Expences, there is now above *Four-*  
' *Hundred-Pounds-worth* of Stones for the Reparation thereof ready  
' upon the *Haven*.

Sir *John For-*  
*tescue* Records  
him.

Sir *John Fortescue* said: ' The Proverb is, *Tractent fabrilia*  
' *fabri*. The Gentleman that first spake, had not so good In-  
' structions, as he might have had: There be Brew-houses  
' and Bake-houses for the Provision of Victuals for Ship-  
' ping; the *Haven* will receive Ships of *Three Hundred Tuns*,  
' and is most necessary for the passing of all Merchants: The  
' Tax is small, and times may be when the *Haven* shall need a  
' great Tax at one time; And if this should be taken away,  
' what then? And therefore, I think it most fit to be Conti-  
' nued.

And the Com-  
ptroller speaks  
for it.

Mr. *Comptroller* said: ' Me thinks we take a very Impru-  
' dent Course, to go about at this present, to take away a Tax  
' which maintains *Dover-Haven*: We are now in Dispute, how  
' to

‘to defend our selves from the *Dunkirkers*, and to strengthen our  
‘own *Havens*. If we take away this Tax, we shall weaken  
‘this *Haven*, which is the most necessary *Haven* of *England*, and  
‘therefore, I would wish no man to wrong the State so much,  
‘and to be so respectless of the Good of the *Navy*, by speaking  
‘out of any particular humor of his own.

Sir *Walter Rawleigh* said: ‘There be divers *Havens* which have  
‘been Famous, and now are gone to Decay, as *Tynmouth*, and *Se-*  
‘*tom*, and *Winchelsey*; *Rye* is of little Receipt; *Sandwich*, (as a Bur-  
‘gefs of that Town said this Parliament, Mr. *Peake*) is even  
‘a going. The Tax being imployed as it should be, I hold it  
‘both good and necessary; and there is no Trade of Fisher-men  
‘to *Newfound-Land*, but by this *Haven* of *Dover*, which if the  
‘Tax be taken away, and that go to Decay, Her Majesty shall  
‘lose one of the best, and most necessary *Havens* of *England*,  
‘which hath all the Commodities that Mr. *Chancellor* shewed,  
‘and lieth opposite to all our Enemies Countries, who may soon  
‘be with us, and we not able to resist them and help our selves,  
‘should we want this *Haven*. I think it therefore fit this mat-  
‘ter should be Considered of, and Committed; And so it  
‘was.

Mr. *Speaker* said: ‘I am to deliver unto you, Her Majesties  
‘Commandment; That for the better and more speedy dispatch  
‘of Causes, we should Sit in the Afternoons; which being Mo-  
‘ved at the first here, and Her Majesty taking notice thereof,  
‘well liketh and approveth of it. And likewise, That about this  
‘day Seven-night, Her Majesties Pleasure is, This Parliament  
‘shall be ended.

*The House sate this Afternoon.*

A Bill was Returned in, to Confirm the Assurance of the  
Mannors or Farms of *Sayeburie*, alias, *Sadgeburie*, and *Obden* and  
other Hereditaments to *Samuel Sande* Esquire, and *John Harris*  
Gentleman, and their Heires.

A Bill for the Relief of the necessity of Souldiers, and  
Mariners, was Read the first time.

Mr. *John Hare* Moved: That Bills might only be Read the  
first or second time, and not put to the Question in the After-  
noon.

Sir *Edward Hobby*. I Approve of the Motion that the Gentleman  
made, And I ever held this for a Rule, *Manè Consilium, Serò*  
*Convivium*, &c.

Mr. *Richard Messenger* Moved: That the Collectors for the  
*Ten Pound*, and *Five Pound* upon every private Bill, might be  
Chosen by the House; And no private Bills might be sent up  
to the Lords, before the Fee be paid.

The Question was in the House, Whether the Fish-mongers  
of *London*, their Provifo should be added to the Statute of Con-  
tinuances. And the Fishmongers were Admitted to the Bar  
by their Council, which was Mr. *Nicholls* of the *Middle Tem-*  
*ple*.

M m m m

He

44 Eliz.

Sir *Walter*  
*Rawleigh* of  
the same Per-  
swasion.

And so it was  
Committed.

Mr. *Speaker*  
informs the  
House how  
long they are  
to Continue.



An. 1601

He first shewed, That the Fishmongers of *London* were an Ancient Corporation: And that they had ever *Twelve* Men as Factors for them, to buy Fish on the Sea-Coasts, and send it Fresh hither to *London*, to be bought of the whole Company, and so sold in the Market, whereby Fish was then far Cheaper than now it is. For now some *Six* Persons Ingross all to themselves, and sell it at a dearer Rate by Retail, to the utter undoing of the rest of the Fishmongers, because then every Man sold for himself.

*Secondly*, The Fish sold, is seldom sweet, and ever unsavory, and the Fishmongers cannot Distrain, because they be tyed up by that Statute.

*Thirdly*, a Subversion of the Corporation followeth thereupon, and an Extinguishment of all Grants made unto them by former Kings of this Realm, and of the Confirmation made by Her Majesty: And divers other Reasons were delivered by him.

A Bill for the Relief of the Poor.

On *Friday Decemb. 11*. A Bill for the Reparation of two Bridges over the River of *Eden*, &c. was Ordered to be Ingrossed.

A Bill for Comprehending, and Continuing the Maintenance of good and profitable Arts, and Trades, for the Commonwealth. The Effect of it was, That every man which had, or could invent any Art, or Trade, should for his Life *Monopolize* the same to his own Use, and he that could Add to, or Refine the same, should do the like.

Mr. *Fettyplace* shewed: 'That the Bill was unprofitable, and 'not good, for many Reasons.

*First*. 'It was too General, because it speaketh of Arts, as 'well Invented, as to be Invented.

*Secondly*: 'The Bill sheweth not, That they will be profitable to the Common-wealth; and whatsoever they be, this Bill 'alloweth: For divers Arts have been devised in *London*, 'that should be wrought by one Man, which could not be 'done heretofore with Forty; this is, said he, unprofitable, because it setteth not many hands on work.

*Thirdly*: 'It will breed Confusion; because if but a little Addition be made by another, a new Licence is granted to this 'Man. And now, if to that Addition another shall add, that 'will be *ad infinitum*, and so breed Confusion. Whereupon he Concluded, That he for his part thought fit the Bill should be quash'd; and divers cried *Away with it*.

I wished, That the Bill might be Read again, and considered, because we allowed of these kind of Patents once before this Parliament: Namely, in the Licence for making *Tyn* by Mills, out of the Old Rubbish in *Cornwal*, upon the Motion of Sir *Walter Rawleigh*; and this Bill desired no more in effect.

Next, for the Incertainty; upon Consideration of the Bill by some few Committees, the same might be mended, and he

he that performed many special devices might be Inferred.

Besides, he that invented any Art, or Trade, it was reason he should have some Privilege; because it would be an Incouragement to others. For, *Nemo nascitur Artifex*, and no man could come to that Perfection upon the first knowledge of it, but being taught by the first Inventor for a Season.

Also the Proposition of the Gentleman that last spake, did not hold in all Arts, that the work of many should be done by one. For it is Profitable for the Common-wealth, if Water may be brought to every Mans House for *Ten Shillings* Value, where it could not be done for *Ten Pounds* cost, as by the Water-work-device at *London*. So, of *Iron-Mills* in the low-Countries, and of the *Corn-Mills* upon the *Thames*. So of shooting and Charging of Ordnance, and Fire-Works, and the like; and generally of Arts, and Sciences, that can not be done by Poor; but must be done by Persons Judicial and of Skill, and those that have a more Natural Inclination to come to Perfection in those things, than every base Beggar.

For his last Proposition, I said, *Non est Confusio in certa Scientia*.

Mr. Singy said: 'The Author of the Bill perhaps, was a Sugar-Man, for he used the word *Refiner* of Arts. So, it was put to the Question to be read the second time; And all said, *No, No*. But when Mr. Speaker said: All those that will have this Bill read the second time, say, *I, I, I*: Sir Richard Knightly said *No*, Aloud; at which the House Laughed, and not one said, *I, I*.

A Bill for Weights and Measures, was called for.

Mr. Doyly shewed, That he had the Bill, and had attended two Days, and none of the Committees would Meet; he Prayed, the House would either command the Committees to Meet, or Discharge him of the Bill.

'There was a Conference betwixt the Upper-House, and the Lower-House in the Painted-Chamber, which was thus:

'Secretary Cecil, with the rest of the Lower-House, came to the Lords, as they were sitting at the Table; and going to the upper-end thereof, said to this effect.

'That if their Lordships had already concluded what to do in the Bill of Patents, they then had no Commission to proceed. And if they had altered the Bill in any point, with amendments, they had no Commission.

'But if their Lordships had done neither, but only were desirous to be resolved of any doubt, which they in their Wisdoms conceived, and would willingly thereabouts confer with them, they would most willingly accomplish their desires: for they had sufficient Warrant from the House so to do.

The Lord Buckhurst, Lord Treasurer, after a little Whispering with the Lords, answered, 'That he would not have us pre-occupate their Judgments with a Speech both *Strange*, *Improper*, and *Preposterous*, &c.

44 Eliz.

A Conference betwixt both Houses.  
Secretary Cecil speaks in the name of the Commons.

The Lord-Treasurer Answers him.

M m m m 2

Mr.

An. 1601.

Cecil Consults with the rest in another Room.

Returns again to the Lords, and Replies.

Mr. Secretary Cecil said, 'He could not Answer their Lordships without Order from the other Committees, and therefore Prayed they might confer together; which was Granted.

So they went forth into another Room, and there considered what Answer to make. And soon after, they returned again, and Mr. Secretary said,

'My Lords, We of the Lower-House are very sorry your Lordships should conceive otherwise than well of our Speech and good Intent. Your Lordships termed our Speech (for so I may say, because I spake in the behalf, and the name of all the Committees) *strange, improper, and preposterous*. My Lords, I think it not *Strange*, for it is not unknown unto your Lordships, We be all Members of One Body, and as we cannot be without your Lordships, so your Lordships cannot be without Us. And when we are desirous, it pleaseth your Lordships out of your Favour, to vouchsafe Us a Conference; so when your Lordships be willing, it pleaseth Us out of the desire we have to be observant, to yield thereunto; neither have your Lordships been more willing to Gratify Us with your Favours, than We of the Lower-House have been willing to further your Lordships Desires, with our best Furtherance.

'And therefore, my Lords, it is no *Strange* thing to have a Conference; neither our Speech *Strange*, because it tended to draw us to some particular point of Conference.

'For the Epitheton *Improper*: I am to tell your Lordships, That I delivered no more than I was Commanded, nor no less than I was Required. And therefore, by your Lordships Favour, no cause it should deserve the Title of *Improper*.

'And, I take it by your Lordships Favours, it was not *Preposterous*; For the First Matter we took should be handled, was the Doubts which we Imagined your Lordships had conceived of the Bill: And if your Lordships had ought else conceived, I thought fit to shew your Lordships, that we then came without Commission.

'So, my Lords, I hope I have made it appear, That the Speech was neither *strange, improper, or preposterous*.

'But We of the Lower-House, who be here Committees, do beseech your Lordships, that you would not conceive otherwise of Us, than we deserve. And your Lordships shall find Us ever ready in all Dutiful Service, as coadjuting Members of one United Body, the House of Parliament.

'So after, withdrawing themselves a little from the Table, the Lords Whispered together, and at length calling Us, the Lord Treasurer said:

The Lords were satisfied with our Answer, and were very glad they found Us so Conformable; by which they doubted not but we should well agree for the Conference, whereby the Bill might have the better Passage.

Mr. Secretary Cecil, answered: 'That he was very glad their Lordships did conceive aright of them; and that the Committees,

The Lord Treasurer's Answer.



'mittees, because they were many, and would not be troublesome to them with multiplicity of Speeches, had chosen for their Speakers to Satisfie their Lordships, Mr. Bacon, Mr. Serjeant Harris, Mr. Francis Moore, Mr. Henry Mountague, and Mr. Boys.

So the Lords called Mr. Attorney General to them; who began to make Objections; and Mr. Bacon answering Mr. Attorney, again Objected; and Mr. Serjeant Harris, before he had fully ended, began to answer. To which, Mr. Attorney said: *Nay, Good Mr. Serjeant, Leap not over the stile, before you come at it: Hear me out I pray you, and conceive me aright.* So when he had done, Mr. Serjeant Answered:

*I beseech your Lordships to hear me, and that I may answer without check or Controul, which I little Respect, because it is as light, as Mr. Attorney's Arguments.* And so he proceeded to answer. So the Conference brake up untill the next Morning, at which time the Lords said: *They would send us word when they were ready.*

*In the Afternoon.*

A Bill for the Relief of *Theophilus Adams*, Touching certain Obligations supposed to be made void, by a Proviso contained in the Statute 39. *Regina cap. 22.* Intituled. *An Act for the Establishment of the Bishoprick of Norwich, and the Possessions of the same, against a certain pretended, concealed, Title made thereunto.*

A Bill for Reformation of Abuses in Selling and Buying of Spices, and other Merchandizes.

A Bill that no Fair, or Market, should be kept on Sundays.

On Saturday, Decemb. 12. A Bill to confirm the Assurance of the Mannors and Farnes of *Sagebury*, aliàs, *Sadgbery*, and *Obden*, and other Hereditaments, to *Samuel Sands Esq;* and *John Harris Gentleman*, and their Heirs, being Ingrossed, was put to the Question, and was Passed.

A Bill for Redrefs of certain Abuses used in *Painting*, was moved by *Sir George Moore*, and some others, that this Bill might be let slip, and the Cause referred to the Lord Mayor of London, because it concerned a Controversy between the Painters and Plaisterers. To which,

Mr. Davis Answered, *That the last Parliament this Bill should have Passed this House; but it was referred as now desired, and Bonds made by the Plaisterers for performance of the Orders made by the Lord Mayor; yet all will do no Good, wherefore, Mr. Speaker, I think it good it should be put to the Question.*

Sir Stephen Somes stood up, and desired, *That my Lord-Mayor might not be troubled with them: but that it might be put to the Question; and it seemed likely to go against the Painters.*

'But I stood up, as it was putting to the Question, and

N n n n

'shewed,

44 Eliz.

Mr. Bacon, &c. to manage the Conference.

A Bill about Painters and Plaisterers.

An. 1601.

Mr. Town-  
head Pleads  
for the Pain-  
ters.

'shewed, That in the Statute of 25. Ed. 3. cap. 3. *Plasterers* were not then so called, but *Dawbers*, and *Mudd-wall-Makers*; who had for their Wages by the day *Three-Pence*, and his *Knave Three-Half-Pence* (so was his Labourer called;) they continued so until King *Hen. 7th's*. time, who brought into *Eng-land* with him, out of *France*, certain Men that used *Plaster* of *Paris*, about the Kings Ceilings and Walls, whose Statute-Labourers these *Dawbers* were.

'Those Statute-Labourers learned, in short time, the Use of *Plaster* of *Paris*, and did it for the King, and increased to be many; then suing to the King for his Favor to Incorporate them, who fulfill'd their desire, and Incorporated them by the Name of *Gipsarii*; which was for Clay or Mudd, alias *Morter-makers*, Anno 16 *Hen. 7*. Being no Free-Men, for all their Incorporation, they obtained the Kings Favourable Letters to *Sir William Remington*, then *Lord Mayor* of *London*, and the *Aldermen*, to allow them Free-men. Which was granted.

'At which time came in Four of them, and paid *Ten Shillings* a piece for their Freedom, and in Three Years, after that manner, came in the Number of *Twenty*; but they paid *Four Pounds* a piece for Their Freedom.

'They Renewed their Patent in King *Hen. 8's*. time, and called themselves *Plasterers*, alias, *Morter-makers*, for the Use of *Loame* and *Lime*.

'They made an humble Petition, and Supplication after this, to *Sir John Munday* then *Lord Mayor*, and the *Aldermen*, to grant them Orders for the better Rule and Government of their Company, in these words:

'We the good Folkes of *Plasterers* in *London*, of *Plaster* and *Loame* of the said City, for the Redress of certain Abuses of *Lath-Plaster*, and *Loame* wrought in the said Crafts, &c. And then had allowed unto them Search for their Company, for the Use of *Lath*, *Loame*, and *Lime*.

'In all their Incorporations, at no time, they had any words for Colours; neither yet in their Ordnances. For all they were Incorporated by the name of *Plasterers*; yet all King *Hen. 8's*. time, they were called *Dawbers*, as appeareth in the accompts of the Chamber of *London*, paid to such and such *Dawbers*, for so many Days so much, and to their Labourers so much.

'The *Plasterers*, never laid any Colours in the Kings Houses, nor in the *Sherifs* of *London*, but this Year; they wore no Livery or Cloathing the *seventeenth* of King *Hen. 8*.

'They have been suffered to lay Ale-house Colours, as *Red-lead* and *Oaker*, and such like, and so now they intrude themselves into all Colours.

'Thus they take not only their own Work, but Painting also, and leave nothing to do for the Painter.

'Painters, and Stainers, were two severall Companies in King *Edw. 3*. time. One for Posts, and all Timber-work to Paint. And the other, for Painting and Staining of Cloth; of great  
'con-

'continuance; both Companies were joyned into one, by their  
'own Consent, and by the Consent of the Lord Mayor, and Al-  
'dermen of the City.

'The *Nineteenth* Year of *Edw.* 4. The Painters had Orders al-  
'lowed them for the Use of Oyl, and Colours especially named,  
'in *Hen.* 4's. time, from the Lord Mayor and City. Painters can  
'not work without Colours, their only mixture being Oyl and  
'Size, which the Plaisterers do now Usurp and Intrude into.

'Painters have her Majesty's Letters Patents Dated *Anno* 24.  
'*Regina*, forbidding any Artificer the Use of Colours and Oyl or  
'Size after the manner of Painting, but such as hath been or  
'shall be an Apprentice with a Painter, Seven Years at the  
'least.

'And where the Plaisterers do Object, That the Painters do  
'Abridge other Companies of their Colours; That is most appa-  
'rently untrue: For Gold-smiths use Colours, but not after the  
'manner of Painting, and work without Oyl, or Size, by en-  
'amelling. Leather-sellers Colour their Leather, but not after  
'the manner of Painting, but work without Oyl or Size.  
'Book-binders use Colours, but neither with Oyl or Size, So  
'Cutlers use Varnishing, and Gilding. So Glasiers use Co-  
'lours, with nealing in the Oven. Brick-layers use Colours, but  
'neither with Oyl nor Size, and Joyners likewise do use Var-  
'nish.

'Workmanship and Skill is the Gift of God; and not one  
'in ten proveth a Workman, yet it is requisite, that all such as  
'have been brought up all the days of their life in a Trade, and  
'cannot attain to that Excellency of Skill that is required,  
'should live by the baser part of their Science, when they can  
'not attain to the better; which is in working in Oyl and Size,  
'those flat Posts, and Windows, &c.

'If Plaisterers be suffer'd to Paint, Workmanship in Pain-  
'ting will decay; for no Workman will keep an Apprentice *Four* or  
'*five* Years to Practice, and not able to get a Penny, unless he  
'might now and then get somewhat towards his Meat and  
'Drink in laying of Oyl-Colours, as on Posts, &c.

'Experience teacheth us now, That amongst the Number of  
'*There Hundred* there are not now *Twelve* sufficient Workmen  
'in the City of *London*; yet one of these (*Francis De Miter* such  
'was his Poverty) was fain for his Releif to Wife and Children,  
'to wear upon the *Lord Mayors Day*, a Blew Gown, and a  
'Red Cap, and to carry a Torch, he being *Fifty Years* O'd.

'One man will lay and Paint more Colours in a day, than  
'ten men can grind, which grinding of Colours, should be the  
'Relief of such as cannot Attain to Workmanship, and that is  
'taken away by the Plaisterers, and the poor men the Painters,  
'their Wives and Children, go a Begging for want of Work.

'Besides, Painting of Cloth is decayed, and not *One Hundred*  
'Yards of new Painted Cloth made here in a Year, by reason  
'of so much painted *Flanders* pieces brought from thence. So  
'that the Painters have nothing to live on, but laying of



An. 1651

The Bill passed.

Secretary Cecil moves for the poor Souldiers.

Oyl-Colours on Posts, Windows, &c.

'It is a curious Art, and requireth a good Eye, and a stedfast Hand, which the infirmity of Age decayeth quickly, and then Painters go a begging.

'*Plasterers* take money generally from the highest Personage, to the lowest or meanest Cottage, whose Walls must needs be made. Painters take money but of a few, for their delight. Painters give to the *Plasterers* six kind of Colours, commonly used; (as the Bill importeth) to be laid with Size, and not with Oyl. And for every *Twenty Shillings* earned with Oyl-Colours, there is *Ten Pound* earned with Size-Colours, they being every mans money.

'These Walls, thus Curiously Painted in former Ages, the Arms so Artificially Drawn, the Imagery so perfectly done, do Witness our Fore-fathers Care in Cherishing this Art of Painting. So, I think the Bill is very reasonable, and fit to pass, And so it did.

Mr. Attorney General, and Doctor *Cary* came from the Lords, & shewed, Their Lordships were ready for a Conference, touching the Bill concerning Patents, and that they had given power to their Committees, fully and finally to determine the same; and desired, that our Committees might come with the like Power, which was granted; but a great Number cried, *No, No.*

A Bill for Reformation of Abuses, in Buying and Selling of Spices, and other Merchandizes. This Bill was called the Garbling Bill.

It was put to the Question for the passage, and the House was divided, And the *Y, Y, Y,* were *Ninety Five*, and the *Noes Forty One*. So the Bill passed.

There was a Question in the House, upon the Bill for the Relief of Souldiers, Whether the Old Levy of *Two Pence* a Parish should stand, or *Six Pence* a Parish?

To which, Mr. Secretary *Cecil* said: 'The Law for the Relief of Souldiers, I take to be both just and Honourable, and that Misery which proceeds from Obedience, Worthy to be Pitied and Relieved; for their Obedience hath shewed it self, even by Sacrificing their Bloods for our Goods; and there is liker to be a continuance, than a decay of their Miseries. I dare boldly say it, there is never a Souldier Relieved with such a Contribution, as his Misery requireth, and his Service hath deserved. And therefore I think *Six Pence* a Parish, at the least.

So they went to the Conference, and the House sent up these Bills, *viz.*

1. The Bill against Fairs and Markets on Sundays.
2. The Bill to prevent Perjury and Subornation, &c.
3. The Bill to prevent Abuses in Sherifs, and other Officers.
4. The Bill concerning making of Hats.
5. The Bill for Garbling of Spices.
6. The Bill for Redress of Abuses in Painting.

7. The

7. The Bill for making a Harbour or Key on the North side of *Devon*.

8. The Bill for Assurance of certain Lands to *Sandes* and *Harris*. And, Mr. Secretary *Cecil* was intreated to deliver them unto the Lords.

The Bill for the Redress of Abuses and mis-employment of Goods and Lands given to Charitable Uses, was Read the first time.

Mr. Solicitor General *Fleming* Moved, 'That although the Order of the House was, A Bill should not be Read twice in one morning; yet in respect that this was a Bill of great Consequence, he Prayed, That it would please the House it might be Read again. And it accordingly was. And so it was by Order presently Committed.

Mr. *Snigg* said: 'I would humbly pray the House, that the Bill of Clothing which hath at length taken, and laid open the Theft of *England*, which we have so long followed with Hue and Cry, I mean the *Tayntor*, may be Read. It Robs God of his Honour, and us of our Clothing.

Mr. *Browne* said: 'And I humbly present unto this House, the natural Born Child of us all, I mean the Bill against Transportation of Ordnance, which is Amended, and a Provision added, with Licence, &c. And I humbly pray the Amendments may be Read; And the Bill put to the Question. And so they were, after a little Dispute, and Ordered to be Ingrossed.

The Bill for Maimed Souldiers, was Read, To which Mr. *Roger Owen* spake, shewing that he was commanded by all the Justices of the Peace for *Salop*, to Deliver unto the House the poor Estate of the County, and therefore prayed, a Provision might be added to exempt that County.

But it was replied to him, That he went about to Deck up his particular *Cabbin*, when the Ship was on Fire.

*In the Afternoon.*

A Bill for the Establishing of the Remainder of certain Lands of *Andrew Kettleby* Esq; to *Francis Kettleby*, was Committed, and the place and time of Meeting was the Court of Wards, On Monday Morning by Eight of the Clock, and the Council on both sides to be there.

A Bill for the more diligent Repair to the Church on *Sundays*, was Read; To which

Mr. *Bond* said: 'This Bill as it is now Ingrossed, much differs from the First, which was here presented, which I the better like of; notwithstanding, in my Opinion the Bill is altogether needless, and divers Reasons move me to think it both inconvenient, and unnecessary.

'Every Evil in a State, is not to be met with in a Law. And as it is in the natural, so it is in the politique Body, that sometimes the Remedy is worse than the Disease. And there-

O o o o

'fore

44 *Eliz.*

A Bill for diligent Repairing to Church, &c.

Mr. Bond against it.

A<sup>d</sup>. 1601.

fore particular Laws, against particular Offences, produce Novelty, and in Novelty Contempt. *Hippodamus Miletius*, offered to Reward any Man Bountifully, which could invent a Good and New Law. But *Aristotle* condemneth that Policy. And the best Orator, *Demosthenes*, condemneth that State which will admit of any Innovation; although it be good in it self.

If this Bill pass, there will two imputations happen to the State, which Wisdom wills us both to Foresee and Shunn. The First, an Infamy to our Ministers, that our Adversaries may say, This is the Fruit of your Labour, to have Preached away your Audience out of the Church.

The Second, No less, but a greater Imputation upon our *Arch-Bishops, Bishops, Arch-Deacons*, and other *Ecclesiastical Governours*; that they be either remiss in their Authority, or else that their Prerogative hath not so much Power as a *Twelve-Pence Fine*. And doubtless these Imputations cannot be avoided, if we give the *Jesuits* such Head, Scope, and Comfort, as they in their Writings do greedily Apprehend.

I do conceive, Mr. *Speaker*, great difference between the Law, 1. *Eliz.* when time was, and this Law, 44. *Eliz.* as now it is: then the People were newly taken from Massing & Superstition; now are planted in Truth, and rooted in Religion; the Light did then scarce appear unto them, which now shineth with Glorious Beams upon our Teachers, and Ecclesiastical Judges. And as the Malice of the Adversary was only kindled against them in the Beginning; so is it stretched forth to put down, and Flameth like a consuming Fire to devour our Doctrine.

These Reasons aforesaid, were the Ground-Work of *Oserius's* Foundation in his Epistle unto Her Majesty, to give Advantage to spake Evil. I will give but a Reason or two more, and so end.

Suppose, that a neglecter of Church-Service, comes to the Sessions, there to be Examined, alleading an Excuse, many businesses so concern the doer not to be known, that to speak Truth would be his undoing. And not to speak Truth, would be a Wound unto his Conscience: and to say his Business were a meer Mockery; and to say an untruth, an Apparent Danger.

If this Law may stand for a Law, methinks, I see what Breach of Charity will happen. Say there be *Forty* in a Parish absent, the *Church-warden* presents some, and not others; it will be Objected unto him. Wherefore should I be presented and not he? my Wife, my Servant, my Friend, and not his? Will not this be a great Breach of Unity and Peace?

Just Prosecution will be infinitely Cumberfome, and partial connivance subject to Quarrel; notwithstanding this Statute, we leave Power to the Ecclesiastical Judge; whose course is to proceed to Excommunication, and so an *Excommunicato capi-*

piendo



44 Eliz.

'piendo must be had; this is as great a Charge as the Indictment in the Statute 1 Eliz. In this Statute, a Witness or two must be brought to the Sessions. He must be presented to the Grand-Jury, and so Indicted. This will cost Five Shillings, a Noble, or Ten Shillings, which is as much as the Charge in the first Statute. So because this Bill is Scandalous to the Clergy, Scandalous to the State, and Repugnant to Charity, and Crambe recocta; I pray it may receive the like entertainment the former Bill had, viz. to be Rejected.

Sir Francis Hastings said: I shall speak upon great Disadvantage: I perceive this Member of our House, hath taken Studied Pains to disturb the passage of this Bill; to which I shall not so well Answer, because I cannot so well carry away the particulars of this Politique, but not Religious Discourse.

'If it be Religion to be Obedient at pleasure, If I could be Zealous to Day, and Cold to Morrow: I could Subscribe to all that he hath said. We cannot do a more acceptable thing to God, nor a more Dutiful Service to the State, than to bring Men to Fear God.

'Religion and Policy may well stand together; but as that Policy is most Detestable, which hath not Religion to warrant it: So is that Religion most happy, that hath Policy to back and maintain it. I know the Jesuits and Priests be out of square, and be at Jar amongst themselves; I pray God it be not to make a Breach amongst us, who be yet at Unity.

'Wit well Applied, is a profitable thing, but ill Applied, Dangerous in whosoever doth abuse it. There is no Man of Sense and Religion, but thinks he is far from Religion (pointing to Mr. Bond) that made the Speech first. He said, it would be an Imputation to our Ministers, That Speech was both absurd in Judgment, and Scandalous in Uttering; as though by the Ministers of the Word, we loath to hear of our Sins, or reconcile our selves unto God.

'The Second, That it was an Imputation to Arch-Bishops, Bishops, &c. I am so far from blaming their Government, that I Renounce that position, and am very sorry, that the strength of their Authority, stretcheth not so far as I could wish it did in this Point.

'But methinks this Law should rather be a Credit to the Ministers, That now we having gone to Church these Forty Three Years our selves, and are so fervent in Religion; desire also, that others may do the like.

'I beseech you, give me leave to wipe away a Grievance, which it seems, the Gentleman that last spake, imputeth unto me; he hath made a protestation that he is no Papist, I appeal to you all, if I said he was. And I say, he is no Puritan, if he be not a Papist; for if there be ever a Puritan in England, it is a Papist. I Learned of Doctor Humfries, who was sometimes my Tutor, a Division of Four Sorts of Puritans.

'1. The Catholics, who hold a Man cannot Sin after Baptisme.

O o o o 2

'2. The

Sir Fran. Hastings Answers him.

An. 1601.

'2. The *Papist*, who is such a *Merit-Monger*, that he would not only save himself by his own *Merits*, but by the *Merits* of others also.

'A 3<sup>d</sup>. Sort, are the *Brownists*, or *Family of Love*. A *Seet* too well known in *England*: I would they never had so been.

'The 4<sup>th</sup>. and last Sort, are, your *Evangelical Puritans*, which rely wholly upon the *Scriptures*, as upon a sure Ground. And of these, I would we had many more than we now have.

Mr. *Glascocke*, Mr. *Spicer*, and divers others, made several Speeches; but because it grew Dark, I could not Write them.

Doctor *Cary* came from the Lords, and brought a Bill concerning Captains, Souldiers, and Mariners, and other the Queens Servants in the *Realm*. Also another Bill for the Maintenance of the Navy, Increase of Mariners, and the Avoiding the scarcity of Victuals.

It was shewed by Doctor *Bennet*, upon occasion of Speech of the Multitude of Recusants, that there were *Thirteen Hundred*, nay, *Fifteen Hundred* Recusants in *Yorkshire*, which he vouched upon his Credit were presented in the *Ecclesiastical-Court*, and before the Councel at *York*.

So, after divers other Speeches and Arguments, it was put to the Question, Whether the Bill should be Ingrossed? The Substance whereof was, That if any Man came Eight times in the Year to the Church, and read the Divine Service Twice every *Sunday* and *Holyday* in his House, with his whole Family, that should be a sufficient Dispensation.

This was utterly disliked, yet divers that were minded to overthrow the Bill, went forth with the Proviso, because they would have it joyned with the Bill to overthrow it. Whereupon the House was divided, and upon division it appeared thus, the *Y*, *I*, *I*, were *One Hundred Twenty Six*, and the *No*, *Noes Eighty Five*. So the Proviso passed.

Then it was put to the Question for Passing of the Bill, but then divers Reasons were shewed to the contrary. Mr. *Bonds*, two Reasons of prejudice to Ministers, and the Clergy, and the danger by Breach of Charity, That the Information was a thing contrary to *Magna Charta*, That there might be a Conviction without inquiry, &c.

Sir *Walter Rawleigh* shewed, 'That all the *Church-Wardens* of every *Shire*, must come to the Sessions to give Information to the *Grand-Jury*. Say then there be 100 and 20 Parishes in a *Shire*; there must now come Extraordinarily 200 & 40 *Church-Wardens*; and say, that but Two in a Parish Offend in a Quarter of a Year, that makes *Four Hundred and Eighty* persons (with the Offenders) to appear. What great Multitudes this will bring together! What Quarrelling and Danger may happen, besides giving Authority to a mean *Church-Warden*! How prejudicial this may be! with divers other Reasons against it As also, he said, There was some Ambiguities and Equivocations therein, the Proviso being newly added,

Sir *Walt. Rawleigh* against the Bill.

'ded, being a plain Toleration from coming to Church. And  
'that the Parson could not present or constrain any, if they  
'read Service at Home.

So it was put to the Question, thrice together; and because  
the Truth could not be discerned, the House was again divi-  
ded. And the *I, I, I*, went forth and were 105. and the *Noes*  
within were 106. so it was lost by one Voice. But the *I, I, I*,  
said, they had Mr. Speakers Voice, which would make it even.  
And then it grew a Question, whether Mr. Speaker had a  
Voice?

Sir Edward Hobby, who was of the *I, I, I*, side, said, *That when*  
*Her Majesty had given us leave to Choose our Speaker, she gave us*  
*leave to choose one out of our own Number, and not a stranger. He*  
*is a Citizen of London, and a Member, and therefore he hath a*  
*Voice.*

To which it was Answered, by Sir Walter Rawleigh, and con-  
firmed by the Speaker himself, *That he was fore-closed of his Voice, by*  
*taking of that Place which it had pleased them to impose upon him, and*  
*that he was to be indifferent for both Parties. And withal shewed,*  
*That by the Old Order of the House, The Bill was lost.*

Mr. Boyer, Secretary to the Lord Buckhurst, said: Mr. Speaker,  
*I think it not lost, for there hath been foul and great Abuse Offer'd*  
*in this matter. A Gentleman that would willingly have gone forth, accord-*  
*ing to his Conscience, was pulled back. Though I much Reverence*  
*my Masters of the Temple, and am much bound to the Benchers of*  
*the Middle-Temple, yet if it will please the House, and you, Mr. Spea-*  
*ker, to Command me to Name him, I will. The greatest Voice*  
*said No; yet Mr. Secretary Cecil, willed him to Name him.*  
And he said, Mr. Dale of the Middle-Temple.

Sir Walter Rawleigh said: *why? if it please you, it is a small*  
*matter to pull one by the Sleeve, for so have I done my self often*  
*times. And a great Stir was in the House.*

Mr. Comptroller, after some silence, said: *we have been often*  
*troubled by Physitians, (meaning Mr. Bond,) and they have been spo-*  
*ken against: He troubled us with Aristotle, & other Books. If he had*  
*said there, it had been well. But I think, we had need of Physitians*  
*to stay our Heads, and Cool our Heats and Humours, not fitting a*  
*Court of Parliament; For it is a most intolerable Disorder.*

*I do think the Offence an heynous Offence, both against God and*  
*this Assembly; for the First, in that every man is to go according to his*  
*Conscience, and not by Compulsion. And for the other Gentleman, (mea-*  
*ning Sir Walter Rawleigh) that said, he had often done the like, I*  
*think he may be ashamed of it; for large is his Conscience, that in*  
*a matter of this Consequence, will be drawn either forward or back-*  
*ward by the Sleeve. And I think it fit, it is so Heynous, that he*  
*answer it at the Bar (meaning Mr. Dale.) But because Sir Walter*  
*Rawleigh was last named, it was taken to be meant of him.*

Mr. Secretary Cecil said: 'I am sorry to see this disorder, and  
'little do you know how for disorder the Parliament is Taxed.  
'I am sorry I said not, Slandered. I hoped as this Parliament  
'began gravely, and with judgment, so we should have ended

P p p p

'modest-

44 Eliz.

Query, Whe-  
ther the Spea-  
ker have a  
Vote?

The Speaker  
declares he  
hath not, by  
Custom, any  
Vote.

A Complaint  
of Foul Play,  
&c.

Sir Walt. Raw-  
leigh Accuses  
himself of a  
Weakness.

The Comp-  
troller takes  
him up for it.

Is Seconded  
by Cecil.



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'modestly, and at least with discretion. I protest I have a Libel  
'in my Pocket against the Proceedings of this Parliament.

'The Offence, that the Gentleman that last spake, spake of,  
'I confess is great and punishable. And this I wish may be in-  
'flicted on him, that he whose Voice may be drawn either for-  
'ward or backward by the sleeves, like a Dog in a string, may no  
'more be of this House; and I wish for his Credit sake, he  
'would not. But, that it should be so great as to be called to  
'the Bar, I see no Reason; neither do I know, why any in  
'this House should speak so Imperiously, as to have a Gentle-  
'man of his Place and Quality (pointing to Sir *Walter Rawleigh*)  
'called to the Bar.

'For the matter it self, the *Noes* were 106. and the *Ys*, 105. Mr. Speaker hath no Voice; and though I am sorry to say it,  
'yet I must needs confess lost it is, and farewell it. And so the  
House rose confusedly, it being after six a Clock.

There was another Gentleman (a *Noe*) pulled out, as well as  
the other was kept in, and therefore it had happen'd even as be-  
fore; howsoever, Mr. *Edward Johns* and Mr. *Barker* pulled Mr. *Ly-  
onel Duckett* out.

13.

*Sunday Decemb. 13.*

14.

On *Munday Decemb. 14.* there was a great Eclipse about Noon.  
A Bill against the multiplicity of Printers.

A Bill against Bankrupts, lewd Apprentices, and evil Factors.

The House was divided upon the second Reading of the Bill,  
the *Ys*, 35. and the *Noes* 45. so the Bill was not to be  
Read the third time, being lost by ten Voices.

A Bill for the Cloth-workers of *London*, Ordered to be Ingrossed.

A Bill for the Recovery of many Hundred Thousand Acres  
of drowned Grounds in the Ile of *Ely*, and in the Counties of  
*Cambridge*, *Huntington*, *Northampton*, *Lincoln*, *Norfolk*, *Suffolk*,  
&c. was Ordered to be Committed.

A Bill for the Denization of certain Persons, viz. *Josepho Lupo*,  
and one *Questor*, and others, &c.

Mr. *Fettyplace* shewed: 'That *Questor*, as he was Informed,  
'had neither Father nor Mother *English*, and therefore not fit to  
'be Endenizen'd.

Mr. *Browne* said: 'This *Questor* is a Factor for Merchants,  
'Strangers, and an Ingrosser of Fish, and keeps a Ware-house here  
'in *London*. And now, because he would Defraud the Queen of a  
'double Subsidy, being an Alien Stranger, he would be Indenizen'd.

Sir *Walter Rawleigh* said: 'I know *Questor* well, he hath ser-  
'ved the Queen long, and done Her good service, he hath been  
'these 36. Years in *England*, & hath ever shewed himself a good  
'Subject; and for his good Service, I see no Reason but he should  
'be permitted to pass with the rest.

Mr. Secretary *Cecil* said: 'I know this man *Questor* well; this  
'Testimony I am able to give of him, that he is a man of good  
'Substance, and of Qualitie, and of his quality I know not an  
'honester man in *England*; he hath done good Service both to  
'the Queen, and to the State; and that to my know-  
'ledge.

44 Eliz.

‘ledg. For the matter of Custom, I know her Majesty is well  
‘pleased therewith, and therefore no Defrauding. That  
‘he should be an Ingrosser of Fish for Strangers, it may be; but  
‘I think he is not. I protest if I knew he were, I should hate  
‘him as I do hate Monopolies. It is no great matter if we put  
‘him in, for the Bill may be qualshed either in the Upper-House,  
‘or Her Majesty may dash him out, at her Pleasure. The Com-  
‘mittee, that was appointed this Forenoon in *Ketlebies*  
‘Case in the Court of Wards, is appointed to be this afternoon in  
‘the same place. Because the Council who were Committees,  
‘and the Cause being of great Weight, *Five Hundred Pounds*  
‘*Per Annum*, were to go presently to end the Conference with  
‘the Lords, touching Patents, for they tarried for them.

Mr. *Francis Moore* brought in the Bill for continuance of some Sta-  
tutes, and Repeal of some others, with two Provisoes touching  
*Dover-Haven*, (and the longer was accepted) I leave it, quoth he,  
to the Consideration of the House, to take whether they list,  
or to refuse both; and here stayed whilst the Clerk of the  
Crown and a Doctor brought two Bills from the Lords, which  
had past this House, *viz.* The Exchequer-Bill without any amend-  
ment, only a short Proviso added to the end, the Effect whereof was:

That upon Order in the open Court, it should be Lawful for  
any Officer, Clerk, &c. to award *Process*, and drive the Parties  
to Plead *Quo titulo*, &c. which was Prohibited by the Bill. The  
second was the Bill touching the joynture of *Lucy Countess of*  
*Bedford*, with some amendments, and a Proviso.

Mr. Secretary *Cecil* said: ‘If ever there was a time to look  
‘to the *Ports and Havens*, it is now. If you remember, what  
‘place is *Ex opposito* to *Dover*, what Neighbours we have, and how  
‘greatly that *Haven* doth stand us in stead, I believe you would  
‘be more willing to add, than to take any thing away from the  
‘maintenance thereof. I wish therefore, to end this Controver-  
‘sy, that this may be the Question, Whether of these two Pro-  
‘visoes shall be added to the Law? But I think the greatest is  
‘best, and largest, and I should be loth to Detract any thing  
‘from that Contribution: So the greater was taken.

*Cecil about*  
*Dover-Haven.*

Amendments in the Bill of Assurance, used amongst Merchants.

Mr. *Hackwell* said: ‘I think, *Mr. Speaker*, we do not give  
‘that Favor to a Bill which lies dormant in this House, as the  
‘Bill meriteth. It was well said, by one, that Ships were the  
‘Walls of our Kingdom; which if we suffer to Decay, as I am  
‘certainly assured they are Decaying, not only a quarter, or  
‘third part, but even half, and as our strength Diminisheth, so our  
‘Enemies increase.

‘And therefore *Mr. Speaker*, it being for a publique Good, and  
‘general Happiness to us all, I wish so profitable a Bill may be  
‘Read, and have good passage; it is Intituled, A Bill touching  
‘Souldiers, Mariners, and maintenance of Shipping.

A Bill for the Repealing of an Act made 14 *Eliz.* concerning  
lengths of *Kerfies*, was Committed.

A Bill for Confirmation of *Letters Patents*, to the Hospitals of

An. 1601.

St. Bartholomews, Bridewell, and St. Thomas the Apostle.

The Act for Confirmation of Statutes put to the Question, and agreed to be Ingrossed.

Sir *Edw. Hobby* moved the House, to have their Opinions touching the Proviso sent down from the Lords, with the Exchequer-Bill, which was Ingrossed in Parchment; for he somewhat doubted of it, and thought it ought to be in Paper; for all Amendments that come from the Lords use to be in Paper, and not in Parchment, but agreed, That it was well, and according to the course of the House to be in Parchment.

The Bill for the Repairing and Amending two Bridges, near *Carlisle* over the River of *Eden*, in the County of *Cumberland*, being Ingrossed, it was Read and Passed, and sent up to the Lords by Sir *Edward Hobby* and others. And the Copy of the Information against Mr. *Bellgrave*, under the Hand of the Clerk of the *Star-Chamber*.

The Bill concerning the Assize for Feuel, Ordered to be Ingrossed and Passed.

Mr. *Davis* moved, and shewed, 'That a Servant of Mr. *Hudlestons* (Knight for *Cumberland*) I think, being some twelve months since, hurt in the Hand, went unto one *Mathews* a Surgeon by *Fleet-Bridge*, who for Ten Pound undertook the Cure; the Man gave him a Bill of Ten Pound for the said Cure, which, he the said *Mathews* could not perform, without leaving a great Scar, and withal a little lameness in his hand, notwithstanding he paid the Surgeon Eight Pound: but upon what suggestion I know not, *Mathews* hath sued Mr. *Hudlestons* man for the whole Ten Pound, and Arrested him upon an Execution, into the Counter. The man told him, he was Mr. *Hudlestons* man, and that his Master was a Member of this House, and a Knight of a Shire, and that he was thereby privileged from Arrest, and wished to be discharged. But *Mathews*, and the Serjeant said, they cared not for his Master, nor his Privilege; and said, that he was not privileged from an Execution. And so being carried to the Counter, he told the like to the Clerks, who affirmed likewise, that Priviledges would not stretch to Executions, and therefore would not discharge him.

'And therefore I Pray, that both the Clerks, *Mathews*, and the Serjeant, may be sent for. And so it was Ordered, they should Appear to morrow in the Forenoon.

The Bill against ordinary and usual Swearing, was ordered to be Ingrossed, and so Passed.

The Bill that Concerns Captains, Souldiers, and Mariners, which came from the Lords, was Read the first time.

The Bill for Relief of the Poor, was brought in with Amendments, and agreed to be Ingrossed.

*In the Afternoon.*

The Bill touching the Weaving of Silk and Gold Laces, after a little Debate, by the greater part, it was Rejected. The Reasons against the Bill were: 1. That it was Incroaching a Liberty to have two miles compass. 2. That it was too General; silk Wares, and



and all other Stuffs. 3. That it was a Prohibition of making or felling of *Norwich* Stuffs. 4. That the search in the Bill, was too General, and the Forfeiture too great. 5. That it was a discommodity to have all Silk Stuffs. For Statute-Lace with a third of Silk, will shew and sell better; so of Stuffs for Childrens Coats. That the Search was General as well within Liberties, as without.

I offered to speak before the Question was half asked, but could not be suffered, the *Noes* were so great. And it being put to the Question, over-ruled, and the Bill Rejected.

A Bill, that the City of *London* should have full Power and Government over, and in the Liberties of *St. Katherine's*. Read. To which Bill,

Mr. *Wiseman* spake, and said: 'That diverse particular Persons, had Purchased Lands within the Liberty; and had given much more for the same, in respect of the Priviledge, than otherwise they would have done. And now this Bill wipeth away all their Right. And Mr. Speaker, I hope I may speak it without Offence, This Parliament hath been more troubled with Bills for Incroaching Liberties about the City of *London*, than any three Parliaments before.

Sir *Steven Some* said: 'I am bound to defend *London*, and I cannot, under your Favor, suffer the Imputation laid against us: For, Mr. Speaker, I say to you, these Priviledges are the very sink of Sin, the Nurcery of naughty and lewd People, the Harbour of Rogues, Theeves, and Beggars, and maintainers of idle Persons; for when our Shops and Houses be Robbed, thither they fly for Relief and Sanctuary, and we cannot help our selves.

'The City seeing this, Purchased it of the Lord *Thomas Howard*, supposing to have had all the said Priviledges; but finding the contrary by Experience, they now are inforced to sue for your Favours, to have it pass by Act of Parliament. This is the Cause, and I leave it to your Considerations: whereupon it was put to the Question, and the House was Divided, and the *I, I, I*, were 94. and the *Noes* 86.

On *Tuesday Decemb. 15*. A Bill to make the Lands, Tenements, and Hereditaments of *Edward Lucas* Gentleman Deceased, Executor of the last Will and Testament of *John Flowerdew* Esquire, Deceased, liable to the payment of certain Legacies, given by the last Will of the said *John Flowerdew*; and for the payment of diverse other Debts, owing by the said *Lucas*, in his life time.

Mr. *Snigg* moved, to have the Bill for Clothing *Read*, which was *Read*, accordingly.

Mr. *Phettiplace*, prayed the House to have consideration, whether the Merchants were fit to have Consideration for Cockling and Squales, and so to make abatement to the Clothier. And he thought not, because in outward shew, it seemed good; yet there lurks a hurt to the Merchant. And so it was put to the Question, and Ordered to be Ingrossed.

One *Anthony Mathews* a Surgeon, who dwelt about *Fleet-Bridge*, caused a Serjeant to Arrest one *Curmyn*, Servant to Mr. *Hudleston*

Q q q q

Knight,

44 *Eliz.*

A Bill about the City, &c.

Mr. *wiseman* Argues against it.

Sir *Stev. Some* for the City.

An. 1601.

Knight, for *Cumberland*. It appeared, that *Curwin* was a Solicitor, and a Servant to the said Mr. *Hudleston* for three Years space; and had solicited his great Cause in the *Star-Chamber*, betwixt *Delebar* and himself; the Truth of the Case was this: *Curwin* falling into talk with another, about *Fleet-Bridg*, touching Mr. *Hudlestons* Cause; they fell out there, and Fought, and *Curwin* was Hurt fore in the Hand; so he went to this *Mathews*, being the next Surgeon, who dressed him; and after, it was agreed, that *Mathews* should have for the Cure Ten Pounds, viz. Four Pounds in hand, and Mr. *Hudlestons* and his Bill for the Payment of the other Six Pounds when the Cure was done. Which Bill was Read openly. Now, it was Avert'd and Confessed, the Cure was done, and that Four Pounds more was Paid, and *Mathews* contented to forbear the other Forty Shillings untill the next Term following; but it was not paid. Whereupon the said *Mathews* (it being three Years since due) caused *Curwin* to be Arrested. And Mr. *Hudleston* shewed this to the House, and Offer'd (so he might have his man free) to pay the money due. And because it was Avert'd, that the Serjeant knew not of the said *Curwins* being Mr. *Hudlestons* man, but only was told that he was one of *New-Tan*; which indeed was true, and he lay there in his Brothers Chamber, yet served Mr. *Hudleston*; and the Serjeant offered to Swear the same. But the Serjeant said, *That after he was Arrested, Curwin told him he was Mr. Hudlestons Man. And Mathews said, If you let him go, I will be Answer'd by you; look you to it.* Whereupon the Serjeant confessed he kept him; and if he had Offended, he submitted himself.

So the House Awarded, the Serjeant should be Discharged, paying his Fees; and that *Mathews* should pay them: And *Mathews*, to pay his Fees, and remain Three Days in the Serjeants Custody, for procuring the Arrest: And that *Curwin* should have his Writ of Privilege; And so he had.

This Matter was argued diversly, Whether he should be privileged or no: And some thought not; but at length I stood up, and shewed the House, *That he ought to be privileged; for we had given Judgment in the like Case, of the Baron of Waltons Solicitor this Parliament.* And thereupon it was put to the Question; And Ordered he should be Privileged.

The House called to have the Bill of Ordnance Read, and sent up.

Sir *Edward Hobby* said: 'I shall move you in a Matter, which though is seems distasteful in the beginning; yet I doubt not, but it will be very pleasing in the ending. I am given to understand, and I know it to be true, for I saw it, That the Lords have a Bill in their House, Touching Transportation of Ordnance; far more larger in Matter, and more stricter in Punishment, than ours is. And, where we stand so much upon the Words (without License) and spend time therein, they make no such scruple, but puts it absolute.

'Besides, I dare presume to Inform you, that the Gentleman that had the Patent, hath made a voluntary and willing Surren-

render thereof; laying the same even at Her Majesties Feet, which Her Majesty most Graciously and Willingly Accepted.

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Now my Motion is this, I know their Bill is coming, and that the Parliament will be short: If we shall read Ours, and they send theirs; this will breed Disputation, perhaps Confusion; and so, in so good and necessary a Cause, just nothing done, but both neglected. Therefore my desire is, we may tarry for theirs. But the House would have it Read, viz. A Bill against Transportation of Money, Coin, Plate, Ordnance, &c.

On Wednesday Decemb. 16. A Bill for the Change of the Surnames of those that shall Marry the two Daughters and Heirs of William Waller Esq; into the Name of Debden, was read the first time.

A Bill for Relief of the Poor, was Read and Ordered to be Ingrossed.

A Bill to make the Lands and Tenements of Edward Lucas Gentleman, Deceased, Executor of the last Will and Testament of John Flowerdew Esq; Deceased, liable to the payment of certain Legacies given by the last Will of the said Flowerdew; and to the payment of divers other Debts, owing by the said Lucas, in his Life time; was read, and Ordered to be passed.

The Bill for the Appeasing of certain Controversies, between Francis Kettleby, and Andrew Kettleby, and Jane his Wife. The Substance of which is, that the Matter shall be referred to Sir Robert Cecil, Sir Walter Rawleigh, Sir Francis Hastings, Sir Edward Stafford, &c. And their Award to stand Good.

A Bill for the necessary Relief of Souldiers, and Marriners, was read, and Ordered to be passed.

A Bill for the true making of woollen-Cloth, was read, and Ordered to be passed with a Proviso.

*In the Afternoon.*

A Bill concerning Captains, Souldiers, and Marriners, was read the second time; and by Reason of the Generality of the Bill, it was much excepted against, by Sir Walter Rawleigh, and others.

A Bill, about Souldiers and Mariners, &c.

Mr. Glascock said; 'Mr. Speaker, I have something Touching this Bill to deliver to the House, in discharge of my Conscience. And I do humbly and heartily pray you all, to hear me patiently and quietly, without Interruption.

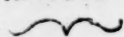
Mr. Glascock speaks to it; and against Justices of the Peace.

'I have been observed Mr. Speaker, to be an Enemy to Justices of the Peace, and to have spoken Irreverently, and much against them: For my own part, I mind now to make my last Speech for this Parliament, and this Protestation withal: That I never used any Irreverent Language towards those, whose Honesty joyned with their Authority, and make them-

selves



An. 1601



Two sorts of  
Justices of the  
Peace; called  
Uncircumcised,  
Adultering  
Justices.

‘ selves Famous, under the Title of Upright Justices. My Speech,  
‘ was never uttered against them, but against two sorts of Ju-  
‘ stices, that have Authority at the Commission of Musters;  
‘ (for all within the County, are Authorized Generally by the  
‘ word *Justices*) by whom I would be loath to be Yoaked, or  
‘ Commanded. The first is, the Uncircumcised Justice of Peace;  
‘ the other, The Adultering Justice of Peace.

‘ The Uncircumcised Justice, is he; who from base Stock and  
‘ Linage, by his Wealth, is gotten to be within the Commis-  
‘ sion. And I call him Uncircumcised, because he hath not cut  
‘ off the Fore-skin of his Offences; and so by his Vertue, wiped  
‘ away the blot or stain of Baseness in his Birth and Linage.

‘ The Adultering Justice is he, that is a Gentleman-Born, Ver-  
‘ tuous, Discreet, and Wise; yet Poor and Needy. And so on-  
‘ ly for his Vertues and Qualities, put into the Commission. This  
‘ Man, I hold unfit to be a Justice, though I think him to be  
‘ a good Member in the *Common-wealth*. Because, I hold this  
‘ for a ground Infallible, That no poor Man ought to be in Au-  
‘ thority; my Reason is this, he will so Bribe you, and Extort  
‘ you; that the sweet Scent of Riches and Gain, takes away and  
‘ confoundeth the true Taste of Justice and Equity. For the Scrip-  
‘ ture saith, *Munera excitant oculos Justorum*; and Justice is ne-  
‘ ver Imprisoned and Suppressed, but by Bribery. And such  
‘ kind of Ministers I speak of. And I call him an Adulterating  
‘ Justice: because, look how many Bribes he taketh, so many  
‘ Bastards he begets to the *Common-wealth*.

‘ Then let us see, whence these Justices do come, and how  
‘ they be made. It cannot be denied, but all Justices are made  
‘ by the *Lord-Keeper*; then he is in fault, and none else. For  
‘ my own Opinion, I have ever held him to be a Man both  
‘ Honourable, Grave, and Wise; so Just, that never was the  
‘ meanest Subject so Wronged that he ever Complained.

‘ Therefore, his Justice cannot be Taxed. I, but his Care  
‘ may, for he only maketh them. No, I may more easily Ex-  
‘ cuse him, than our selves; for he maketh none, but such as  
‘ have Certificates Commendatory from the Justices of Assize.  
‘ Why then they be in fault; for impossible it is, my *Lord-Kee-*  
‘ *per* should know the Quality and Sufficiency of them him-  
‘ self, but only *Per alium*, in trust, as by the Justices of Assize.  
‘ No, the Gall lies not there; for they neither (by Reason they  
‘ are not always rideing one *Circuit*) are well acquainted with  
‘ the natures of those secret Justices; but when any desireth to  
‘ be a Justice, he getteth a Certificate from divers Justices of  
‘ the Peace in the Country, to the Justices of Assize, Certi-  
‘ fying them, of their Sufficiency and Ability. And they again  
‘ make their Certificate (believing the former) to the *Lord-*  
‘ *Keeper*, who at the next Assizes, puts them into Commission.  
‘ And

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'And thus is the *Lord Keeper* abused, and the *Justices of Assizes* abused, and the *Country* Troubled with a *Corrupt Justice*, put in *Authority*.

'The Cause comes only from the *Justices* themselves. And who be they? Even all of you here present, or most of us. My Suit, therefore is, That you will abstain from such Commendations, and hold your Hands from Writing Iniquity, and doing so Sinful a Deed, as to Commend an unworthy Person, and not to Commend a Worthy, and Deserving Subject. And I think this a position both true and publique, that it is as great a Sin to add to the Unworthy, as to detract from the Worthy. And Mr. *Speaker*, if these Men may be excepted out of the Bill; I will not only be ready to go, but to run forth to have so good a Law Established.

Then Mr. *Townshend* (the Collector of this Journal) stood up and shewed, That in too much Generality, there never wanted Error. And so in this Bill, being too General, namely, all from the Age of Eighteen to Sixty must appear at *Musters*, and may be Prest; no exception of any, and therefore no Profession exempted.

It is not unknown unto you, that by Profession, I am a Lawyer, and therefore, unfit to be a Professor of the Art of War. Therefore, I pray, that it would please the House, if they would Commit the Bill; to Commit it to be returned on the last Day of the next Parliament; or else, that, as a worthy Gentleman (*Serjeant Heale*) the last Parliament in a Bill of this nature, moved, to have an Exception or Proviso, for all Serjeants; it would please you to admit of a Proviso for all Lawyers. At which the House Laughed heartily, it being done for Mirth. And divers Motions of the like nature, were made.

A Motion made in Mirth.

On Thursday Decemb. 17. Sir *Edward Hobby* shewed, 'The Parliament was now in the Wane; and Order had been taken Touching the Information delivered to this House in Mr. *Bellgraves* Case, but nothing done therein. And (as it seemeth by not taking out of the Process) a Prosecution of the Cause is intended, against the said Mr. *Bellgrave*.

'I think it therefore fit, because the chief scope of the said Information seemeth to be Touching a Dishonor offered to this House, that it would please you, that it might be put to the Question, Whether he hath Offended this House, yea, or no? If he hath, he desireth to be Censured by you. If he hath not, it will be a good Motive to the Honourable here present, who are Judges of that Court, for their Satisfaction, in cleering the Gentleman of that Offence, when it comes before them.

Mr. *Speaker* moved the House; That because the Parliament was like to end on Saturday, it would please them to send the Bill of Ordinance to the Lords. And that they might be moved to retain all private Bills in their Hands, until the Ten Pounds or Five Pounds was paid, according to our former Order.

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So the House cried, Mr. Secretary *Cecil*, who went, and did accordingly. And then they proceeded in the Motion, concerning Mr. *Bellgrave*.

Mr. *Comptroller* said: 'I know the Gentleman to be an honest Gentleman, and a good Servant to his Prince and Country: And for his Offence to this House, I think it very fit to clear him: And do wish it may be put to the Question. If it please you he may be cleared; I will be ready to vouch your Sentence for his Offence to this House, when it comes there. But, if any other Matter appears upon opening the Cause, with That we have not to do withal.

Mr. Secretary *Cecil* said: 'Touching this great Offence in the Country; I have heard it spoken of diversly: but for my own part, I am rather apt to move Consideration against him, that drew the Bill (one Mr. *Diott*) and that he should be well Punished, who being a Member of this House, should seek to diminish the Prerogative of this High Court of Parliament, by praying Aid of the *Star-Chamber*, for an Offence done to Us, this Court Sitting. And I desire that two things may be Considered:

'First, That the Gentleman (Mr. *Diott*) make an Apology for his Action in drawing of the Information.

'And Secondly, That this Gentleman Mr. *Bellgrave*, may be cleared here; which will be a good inducement to the Lords, not to censure him heavily there.

Mr. *Ravenscroft* said: 'The Gentleman (Mr. *Diott*) is holden in the Reputation of an honest Man. And we ought not to proceed against a Fellow-Member, till he be called. It is not Apparent unto Us, that he made it; the Information is under Mr. *Attornies* Hand, and therefore, ought to be intended his; for now it is of Record under his Hand, against which we can receive no Averment of Speech of others, other than the Gentlemans own words *viva voce*. And that I think he will not confess. And so there was no more said of this Matter.

It was put to the Question, Whether he should be cleared of the Offence to the House; Yea, or No? And all cried, *I, I, I*, but only Young Mr. *Francis Grantham*, who gave a great No: At whom the House Laughed, and he Blushed.

Sir Fr. Hastings against Extravagant Speeches.

Sir. *Francis Hastings* said: 'Mr. *Speaker*, Because I see the House at so good Leasure; I will be bold to remember some Matters passed this Parliament, and deliver my Opinion, with desire of Reformation: I mean not to Tax any Man.

'Divers Speeches have been used concerning Justices of the Peace, so Slandrous and Defamatory; with so unwonted Epethires, with such Slandrous Definitions; a Testimony of Levity for the one, and scant sound Judgment for the other.

'And



'And therefore, I do humbly pray the Honourable here  
'present, that those Justices which serves Religiously, Dutifully, and Carefully, may be Countenanced.

'The Church and Common-Wealth are two Twins, which  
'Laugh and Live together. Long have we joyed in Her Majesty's Happy Government, and long may we.

'We have two strong Enemies; Rome, and Spain; from  
'thence all our Rebellions have Proceeded, and by Treasons  
'Hatched there, the Sacred Life of our Sweet Sovereign hath  
'been sought, and indangered.

'The boldness of the Jesuits, and Seminaries, is greatly  
'increased, and they be very diligent to pervert, which  
'their often and ordinary Published Pamphlets, to every  
'Mans view, well Testifieth, and Apparently sheweth the  
'Perverseness of their Spirits, and Corruptness of their Hearts.  
'And the Multitude being Perverted: What Danger this  
'may breed to the State, and our Sovereign Queen, Judge  
'you.

'For my part, I am, and will be ready to lay my Life  
'at Her Feet, to do Her Service; We had need to have  
'special Care of them, for themselves do brag they have  
'Forty Thousand true Hearted Catholiques (for so they call them)  
'in England; besides, their retinue, poor Catholiques and New-  
'ters, and I know not what. It is therefore fit, we look  
'to this dangerous Case, and not to think our selves se-  
'cure, because we find no harm: For it is a true Posi-  
'tion; That Security without Providence, is most Dange-  
'rous.

I conclude only with this desire, that those who have Supream Authority, will look that those who have inferior Government, may do faithfully: And that we may be kept in Obedience.

Mr. wingfeild, spake to the same effect: And because it had pleased the House, that the Clerks Servant should serve this Parliament, in his Masters steed, (Mr. Onslowe who was sick) that the House would in regard of his faithful Service, and diligent attendance, give Twelve Pence a piece; or what they should think good, every man in his discretion. That Motion was liked, and agreed to be gathered the next morning.

*In the Afternoon.*

A Bill for the Changing of the Surnames of William Waller Esquire, and his two Daughters; and the Names of them, that should Marry them, into the Name of Dibden; was Read the second time.

Serjeant Relverton and Doctor Hone, brought a Bill from the Lords, intituled, An Act for Reformation of Deceits and Frauds of certain Auditors and their Clerks, in making of divers particulars.

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The Infolence  
of the Jesuits.

A Bill to  
Change the  
Name of Wal-  
lers, to Dib-  
dens.

An. 1601.

Serj. Harris, to  
the Bill of  
Waller.

Serjeant Harris spake to the Bill of Waller: 'In Law there is a Bastard & a Mulier: And a Bastard hath the Name of the Mother; a *Mulier*, of the Father. If a man come into a Poulterers Shop to buy a Wood-Cock or Hen, he buyes it by the name of a Cock. And if it be a Goose, whether it be a Goose, or a Gander, he buyes it by the name of a Goose. And surely Sirs, because the Land came by a Match (by a Woman) with the *Dibdens*, he would have it go with the Name of the Woman. I think he deserves the name of a Goose, if not of a Wood-Cock for his Conceit; which, though it be a meer Toy, I wish it good passage. For there is an Order, that upon every private Bill, something must be given to the Poor, which will do them much good, and no harm, to the preferers thereof.

A Bill for the Affize of Bread, was this day Read, and Ordered to be Committed.

A Bill for Reduction of all Brewers within two miles of the City of London, to the Company of Brewers there.

A Bill against Ingrocers, and Forefallers of Butter and Cheefe.

A Bill against Cozening with False Dice.

A Bill for Reformation of Abuses in Physitians.

On Friday December 18. As the Speaker was comming to the House in the morning, the Pardon was deliver'd unto him; which he took, and deliverd it to the House; which they sent back again, because, it was not brought according to course.

The Collection for the Clerk of the Parliaments Servant, supplying his masters Place of *Twelve Pence* a piece, according to Mr. *Wingfields* Motion Yesterday, was made; which amounted to about *Twenty Five Pounds*.

Mr. Boyer, Secretary to the Lord Treasurer, sitting in the middle of the House, on the left side, as you come in, next to Mr. *Skipwith* of *Lincolns-Inn*, swooned upon a suddain, and was Recovered within a quarter of an hour. It was said he had a spice of the Falling-Sickness: he was carried out by the Serjeant of the House, and three of his men, into the outer Room. It was strange, to hear the diversity of Opinions touching this Accident. Some saying it was *Malum Omen*; others, that it was *Bonum Omen*.

Mr. Attorney General brought the Pardon, Intituled, *An Act for the Queens Majesties most Gracious General, and Free Pardon*. He came assisted on the Right hand, by Doctor Cary, and on the Left hand, by Doctor Stanhop; he also delivered unto us again, our Subsidy Bill, Intituled, *An Act for the grant of Four Intire Subsidies, and eight Fifteens and Tenths*, granted by the Temporality.

The Bill for Auditors, was brought from the Committee, by Mr. Secretary Cecil.

Mr. Hackwell,

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Mr. Hackewell made a Motion, that the Speaker might say something touching the transportation of Ordnance, That seeing the Bill in the lower House is fallen into an everlasting sleep, and that he knew not thereof before this day, he could not be blamed for that which he could not have spoken before this time: but nothing was replied, or done.

The Subsidy of the Clergy was sent in a Roll according to the usual Acts; to which, Sir Edward Hobby took exceptions, because it was not sent in a long skin of Parchment under the Queens Hand and Seal: so it was sent back, and then the other was sent.

*Quere* of Mr. Phetyplace and Sir Robert Wroth, What was done with the Money, viz. 10*s.* of every Knight, and 5*s.* of every Burgeſs, collected for the Poor, and how it was agreed to be distributed?

On Saturday, Decemb. 19. about nine of the clock in the morning, this day being appointed to be the last day of the Parliament, and her Majesty appointed to come to the House, as the House sat quietly one talking with another, about a hundred being in the House,

Mr. Wiseman stood up and said, *Mr. Speaker, because I see our business is at an end, and that now we have little to do but only to attend her Majesties pleasure, I will be bold to put a Case to the House upon one of our new Statutes of Rogues, offering the Resolution thereof to your considerations, the Case being common, and fit by every man here to be understood. It is thus: A woman is begotten with Childe in one house, and before she appears to be with Childe, she goeth away and serveth in another house in another County. My Question is, Where this woman shall be relieved, and where this childe shall live?*

*A Case put by Mr. Wiseman, discussed, &c.*

Mr. Brown of the Court, said, *In my opinion, the woman is to be relieved, and the childe also, where it is gotten: for their Masters may look better to them, than let their servants be so lewd: And therefore this coming by his negligence, or want of care, or perhaps by his too much familiarity with his servants, I see no reason but he in whose house the childe is gotten, should be charged with both.*

Sir George Moore said, *Partus sequitur ventrem; the Child followeth the Mother; and therefore where the Statute alloweth help to the Mother, there is relief also to be given unto the Childe.*

Mr. Phetyplace said, *I know not how it is in the Country, or in other places; but in the City I am sure, the man of the house is ever the reputed Father, till the true Father be known, or confessed by the Mother. If the Father be known, and able to keep the Childe, then by the Law he is constrained to relieve the woman and the Childe; if he be not able, the use with us in London is, That the Childe shall be delivered to some Hospital, or to the Parish, there to be relieved.*

Mr. Wiseman said, *I think I am not to be debarred from speech, for this is not More Parlamentario, but that I may deliver my Opinion: And I shall rather hold, she is to be relieved by neither, but that it should be accompted for her own sin and her own impiety; and the example of Penury (in no relief) is better than any Admonition.*

S s s

And



An. 1601.

*And if some straight and severe course be not used, the sin is so common, that in short time we shall have nothing more common, especially when we do use such cockering of them as we now do, and count it a matter of charity to relieve them.*

Mr. Francis Moore thought, that both in charity and by law, they both ought to be relieved, by the express words of the Statutes.

Mr. Speaker moved the House to know their pleasures, whether they would adjourn the House till one of the clock; and as they were rising,

Mr. Herbert Crofts said, *Mr. Speaker, though my Motion perhaps may seem unseasonable, yet I beseech the House to consider with me, a Speech that consisted yesterday of four parts (it being Mr. Hackwell's Speech) laying open the dangerous mischiefs that come by transportation of Ordnance; and that due reformation thereof may be had for restraint of private transporting. I would onely put the House in mind, and you also, Mr. Speaker, that the Gentlemen which yesterday moved it, desired that Mr. Speaker might say something thereof to her Majesty in his Speech to be inserted; which I do again desire the more earnestly, because our Bill is fallen, as he said, into an everlasting sleep, and we have no remedy but by her Majesty.*

Mr. Speaker said, *If it please you, I mean upon the Motion the Gentlemen made yesterday, to say something therein both for your satisfaction and performance of my duty; and therefore this matter shall need no further to be moved.* With which the House rested well satisfied, and so rose.

But it is to be noted, That the Speaker said not one word in his Speech to her Majesty touching the matter; which was greatly murmured at, and spoken against amongst the Burgeses, that the House should be so abused; but nothing was done therein.

*In the Afternoon,*

About one of the clock, divers Gentlemen met together in the House, whither the Speaker came, and after the Privy-Counsellors; where, after sitting some half an hour at past two, they went up to the Upper House, and staid there at the Gallery-door about half an hour; and at length the door was opened: And the Lords of the Upper House being all sat, and her Majesty under a rich Cloath of Estate, the Speaker went to the usual place at the bar; where, after three Reverences made, and the like done in their times by all the Commons, the Speaker said to this effect.

*The Qu. in the  
Lords House.*

*The Speaker's  
Speech.*

**T**Hat Laws were not first made with humane Pen, but by divine Ordinance; that Politick Laws were made according to the evil conditions of men; and that all Laws served not for all times, no more than one Medicine for all Diseases: If he were asked what was the first and chiefest thing to be considered of, he would have said, Religion: If, what is the second? Religion: If what is the third? Religion. So Religion is all in all; for Religion breeds Devotion, Devotion breeds Zeal and Piety to God, which

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which breedeth Obedience and Duty to the Prince ; and Observance of the Laws, which breeds Faithfulness, Honesty, and Love, three necessary and onely things to be wished and observed in a well-govern'd Commonwealth. And that her Majesty, by planting true Religion, had laid such a foundation, upon which all these three Vertues were so planted and builded, that they could not easily be rooted up and extirpated : and therefore we did acknowledge, we ought and do acknowledge, we will praise God and her Majesty for it.

And then he descended to speak of Governments and Laws of Nations ; amongst and above all which, he principally prefer'd the Laws of this Realm ; which, he said, were so many and so wise, that there was almost no offence, but it was met with in a Law.

Notwithstanding her Majesty being desirous, for the good of her Realm, to call a Parliament for redress of some Laws, and for making some new ; Her dutiful and loving Subjects, having considered of them, have made some new, and amended some old ; which they most humbly desire may be made Laws by her most Royal Assent, which giveth life unto them.

And so, after thanks given for the Pardon, by which we dread your Justice and admire your Mercy, and a Prayer, That she would accept, as a testimony of our Loves and Duties offered unto her with a free heart and willing spirit, four entire Subsidies, and eight Fifteenths and Tenth, to be collected of our Lands and Livelihoods ; (in speaking whereof, he mistook, and said, Four entire Fifteenths and eight Subsidies ; but he was remembred by some of the Counsel that stood neer about him, and so spake right as afore-said : ) And also pardon craved for his offences, if either he had forgotten himself in words or action, he ended.

To which, the Lord Keeper answered thus in effect.

First, *AS touching her Majesties proceeding in the Laws for her Royal Assent, that should be as God should direct her sacred spirit. Secondly, For your presentation of four entire Subsidies, and eight Fifteens and Tenth ; And thirdly, Your humble thankfulness for the pardon for them and your self ; I will deliver her Majesties Commandment with what brevity I may, that I be not tedious to my most gracious Sovereign.*

*The L. Keepers  
Speech in answer.*

*First, She saith touching your proceeding in the matter of her Prerogative, that she is perswaded Subjects did never more dutifully ; and that she understood you did but obiter touch her Prerogative, and not otherwise but by humble Petition : and therefore that thanks that a Prince may give to her Subjects, she willingly yieldeth. But she now well perceiveth that private respects are privately masked under publick pretences.*

*Secondly, Touching the presentation of your Subsidies, she specially regardeth two things, both the persons, and the manner : For the first, he fell into commendations of the Commonalty ; for the second, the manner, which was speedy, not by perswasion, or perswasive inducements, but freely, and of duty, with great contentment. In the*

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the thing which we have granted, her Majesty greatly commendeth your confidence and judgments; and though it be not proportionable to her occasions, yet she most thank fully receiveth the same, as a loving and thank-ful prince. And said that no Prince was ever more unwilling to exact or receive any thing from the Subject than she our most gracious Sovereign; for we all know she never was a greedy Grasper, nor straight-handed keeper: And therefore she commanded me to say, That you had done (and so she taketh it) dutifully, plentifully, and thank-fully.

For your self, Mr. Speaker, her Majesty commanded me to say, That you have proceeded with such wisdom and discretion, that it is much to your commendation, and that none before had deserved more. And so he ended, after an Admonition given to the Justices of Peace, That they would not deserve the Epethites of prowling Justices, Justices of Quarrels, who counted Champerty good Chevalance; suing Justices, who did suck and consume the Wealth and Good of the Commonwealth; and also to those who do lie, if not all the year, yet at least three quarters of the year, at London.

After this Speech ended, the Clerk of the Crown read the Titles of several Acts. To the general Acts which were allowed, the Clerk of the Parliament answered, *Le Roygne le veult*: To the private Acts to be passed, *Soit come il est désiré*: To the general Acts not passed, *Le Roygne s'advise*: And so to the other. To the Subsidies and Pardon, as in the last Parliament. Which done,

Parl. dissolved.

The Lord Keeper said, *It is her Majesties pleasure, that this Parliament shall be dissolved; and she giveth license to all Knights, Citizens, and Burgeses, to depart at their pleasure: And so*

God save the Queen.

And all the Commons said aloud,

A M E N.

No-



*Nomina Militum Comitatus Civium Civitatum, & Burgensium Villar. sive Burgorum, ac Baronum quinque Portuum, veniend. ad Parliamentum summonit. apud Civitatem Westm. septimo die Octobris, Anno Regni Eliz. Reginae 43°. 1601.*

Bedfordshire.

|                       |                                    |
|-----------------------|------------------------------------|
| <i>Com. Bedford,</i>  | { <i>Oliverus St. John Ar.</i>     |
|                       | { <i>Edwardus Radcliffe Miles.</i> |
| <i>Villa Bedford,</i> | { <i>Humfridus Winch Ar.</i>       |
|                       | { <i>Thomas Fanshawe Ar.</i>       |

Buckinghamshire.

|                            |                                   |
|----------------------------|-----------------------------------|
| <i>Com. Buckingham,</i>    | { <i>Francis Fortescue Ar.</i>    |
|                            | { <i>Alexander Hamden Ar.</i>     |
| <i>Villa Buckingham,</i>   | { <i>Christopherus Hatton Ar.</i> |
|                            | { <i>Robertus Newdegate Ar.</i>   |
| <i>Burgus Wiccombe,</i>    | { <i>Richard Blunt Ar.</i>        |
|                            | { <i>Henry Fleetwood Ar.</i>      |
| <i>Burgus de Alisbury,</i> | { <i>Johannes Lilly Ar.</i>       |
|                            | { <i>Richard Moore Ar.</i>        |

Berkshire.

|                               |                                     |
|-------------------------------|-------------------------------------|
| <i>Com. Berks,</i>            | { <i>Richard Lovelace Miles.</i>    |
|                               | { <i>George Hide Ar.</i>            |
| <i>Villa Novæ Windsor,</i>    | { <i>Julius Cesar Legum Doctor.</i> |
|                               | { <i>John Morris Miles.</i>         |
| <i>Burgus de Reading.</i>     | { <i>Francis Moore Ar.</i>          |
|                               | { <i>Anthony Blagrove Ar.</i>       |
| <i>Burgus de Wallingford,</i> | { <i>Thomas Fortescue Ar.</i>       |
|                               | { <i>Henry Doyly Ar.</i>            |
| <i>Burgus de Abbingdon,</i>   | { <i>Robertus Rithe Ar.</i>         |
|                               | { —————                             |

T t t t

Corn-

## Cornwall.

|                                      |                                           |
|--------------------------------------|-------------------------------------------|
| <i>Com. Cornwall,</i>                | { <i>Walterus Rawleigh Miles.</i>         |
|                                      | { <i>Johannes Arundell de Treise, Ar.</i> |
| <i>Burg. de Dunh. alias Lancest.</i> | { <i>Johannes Eker Ar.</i>                |
|                                      | { <i>George Downhault Ar.</i>             |
| <i>Burgus de Lefkard,</i>            | { <i>Thomas Edmonds Ar.</i>               |
|                                      | { <i>Sampson Leonard Ar.</i>              |
| <i>Burgus de Lestwithell,</i>        | { <i>Richardus Camwell Ar.</i>            |
|                                      | { <i>Nicholaus Sanders Ar.</i>            |
| <i>Burgus Truro,</i>                 | { <i>Thomas Harris Servien. ad Legem.</i> |
|                                      | { <i>William Daniel Ar.</i>               |
| <i>Burgus Bodwyn,</i>                | { <i>Willielmus Lawe Ar.</i>              |
|                                      | { <i>Johannes Piggott Ar.</i>             |
| <i>Burgus Hilston,</i>               | { <i>Hanibal Vivian Ar.</i>               |
|                                      | { <i>Willielmus Twisdin Ar.</i>           |
| <i>Burgus Saltashe,</i>              | { <i>Robertus Crosse Miles.</i>           |
|                                      | { <i>Alexander Nevill Ar.</i>             |
| <i>Burgus Camelford,</i>             | { <i>Willielmus Cornesewe Gener.</i>      |
|                                      | { <i>Anthony Turpin Gener.</i>            |
| <i>Burg. Portpigh. alias Westlo.</i> | { <i>Johannes Hare Ar.</i>                |
|                                      | { <i>Richardus Verney Ar.</i>             |
| <i>Burgus Grandpound,</i>            | { <i>Johannes Astell Ar.</i>              |
|                                      | { <i>Johannes Hamon Ar.</i>               |
| <i>Burgus de Castlowe,</i>           | { <i>Robertus Taverly Gener.</i>          |
|                                      | { <i>Edwardus Seymor Ar.</i>              |
| <i>Burgus de Penry,</i>              | { <i>Richardus Messenger Gener.</i>       |
|                                      | { <i>Lodovicus Darcy Ar.</i>              |
| <i>Burgus Tregonny,</i>              | { <i>Thomas Trevor Gener.</i>             |
|                                      | { <i>Jeronymus Horsey Ar.</i>             |
| <i>Burgus de Boffenny,</i>           | { <i>Willielmus Hackwell Gener.</i>       |
|                                      | { <i>Thomas Breton Gener.</i>             |
| <i>Burgus de St. Ives,</i>           | { <i>Carens Rawleigh Miles.</i>           |
|                                      | { <i>Willielmus Courtney Jun. Miles.</i>  |
| <i>Burgus de Michael,</i>            | { <i>Willielmus Chumley Ar.</i>           |
|                                      | { <i>Georgius Chidley Ar.</i>             |
| <i>Burgus de St. Jermins,</i>        | { <i>George Carew Ar.</i>                 |
|                                      | { <i>John Osborne Ar.</i>                 |
| <i>Burgus de Newport,</i>            | { <i>Johannes Leigh Miles.</i>            |
|                                      | { <i>Tobias Mathew Ar.</i>                |
| <i>Burgus de St. Mawes,</i>          | { <i>Robertus Killegrewe Ar.</i>          |
|                                      | { <i>Radolphus Hare Ar.</i>               |
| <i>Burgus de Killington,</i>         | { <i>Milo Ramsford Gener.</i>             |
|                                      | { <i>Johannes Roll Gener.</i>             |

Cum-

# Cumberland.

|                           |                                   |
|---------------------------|-----------------------------------|
| <i>Com. Cumberland,</i>   | { <i>Willielmus Hudleston Ar.</i> |
|                           | { <i>Gerrardus Lowther Ar.</i>    |
| <i>Civitat. Carlisle,</i> | { <i>Henricus Scroope Ar.</i>     |
|                           | { ————                            |

# Cambridgeshire.

|                                |                                 |
|--------------------------------|---------------------------------|
| <i>Com. Cantabridg.</i>        | { <i>Johannes Cuts Miles.</i>   |
|                                | { <i>Johannes Cotton Miles.</i> |
| <i>Villa Cantabridg.</i>       | { <i>Robertus Wallys Gener.</i> |
|                                | { <i>Johannes Taxley Gener.</i> |
| <i>Universitas Cantabridg.</i> | { ————                          |
|                                | { ————                          |

# Cheshire.

|                       |                              |
|-----------------------|------------------------------|
| <i>Com. Cestr.</i>    | { <i>Petrus Leigh Miles.</i> |
|                       | { <i>Thomas Holcroft Ar.</i> |
| <i>Civitas Cestr.</i> | { <i>Hugo Glasier Ar.</i>    |
|                       | { <i>Thomas Gamill Ar.</i>   |

# Darbyshire.

|                     |                                |
|---------------------|--------------------------------|
| <i>Com. Derby,</i>  | { <i>Francis Leake Ar.</i>     |
|                     | { <i>Petrus Frechevill Ar.</i> |
| <i>Villa Derby,</i> | { <i>Petrus Ewer Ar.</i>       |
|                     | { <i>John Baxter Ar.</i>       |

# Devonshire.

|                            |                                             |
|----------------------------|---------------------------------------------|
| <i>Com. Devon,</i>         | { <i>Willielmus Courtney Senior, Miles.</i> |
|                            | { <i>Edwardus Seymor Ar.</i>                |
| <i>Civitas Exon.</i>       | { <i>Johannes Heale Servien. ad Legem.</i>  |
|                            | { <i>Johannes Howell Ar.</i>                |
| <i>Burgus Totnes,</i>      | { <i>Leonardus Darr Gener.</i>              |
|                            | { <i>Pilippus Holditch Gener.</i>           |
| <i>Burgus Plimouth,</i>    | { <i>Jacobus Bagg Mercator.</i>             |
|                            | { <i>Willielmus Stallenge Mercator.</i>     |
| <i>Burgus Barnestaple,</i> | { <i>Edwardus Hancocke Gener.</i>           |
|                            | { <i>Richardus Martyn Gener.</i>            |
| <i>Burgus Plimpton,</i>    | { <i>Willielmus Strowde Miles.</i>          |
|                            | { <i>Johannes Heale Gener.</i>              |

*Burgus*



|                                     |                                   |
|-------------------------------------|-----------------------------------|
| <i>Burgus</i> Tavestock,            | { <i>Henricus</i> Grey Ar.        |
|                                     | { <i>Walterus</i> Wentworth Ar.   |
| <i>Burg.</i> Dartm. Clift. Hardres, | { <i>Johannes</i> Treherne Gent.  |
|                                     | { <i>Willielmus</i> Bastard Ar.   |
| <i>Burgus</i> Beereallston,         | { <i>Carolus</i> Lister Ar.       |
|                                     | { <i>Johannes</i> Langford Gener. |
| <i>Burgus</i> Tiverton,             | { ————                            |
|                                     | { ————                            |

## Dorsetshire.

|                               |                                    |
|-------------------------------|------------------------------------|
| <i>Com.</i> Dorset,           | { <i>Edmondus</i> Unedall Miles.   |
|                               | { <i>Georgius</i> Trenchard Ar.    |
| <i>Burgus</i> de Pool,        | { <i>Robertus</i> Miller Ar.       |
|                               | { <i>Thomas</i> Billott Gener.     |
| <i>Burgus</i> de Dorchester,  | { <i>Henricus</i> Bronker Miles.   |
|                               | { <i>Mathews</i> Chubb Gener.      |
| <i>Burgus</i> de Lime,        | { <i>Johannes</i> Fitz-James Ar.   |
|                               | { <i>Nicholaus</i> Throgmorton Ar. |
| <i>Burgus</i> de Weimouth,    | { <i>Johannes</i> Peyton Miles.    |
|                               | { <i>Walterus</i> Cope Ar.         |
| <i>Burgus</i> de Melcomb Reg. | { <i>Richardus</i> Swayne Ar.      |
|                               | { <i>Edwardus</i> Reynolds Gener.  |
| <i>Burgus</i> de Birtport,    | { <i>Robertus</i> Napper Miles.    |
|                               | { <i>Richardus</i> Warberton Ar.   |
| <i>Burgus</i> de Shaftsbury,  | { <i>Arthurus</i> Messenger Gener. |
|                               | { <i>Johannes</i> Budden Gener.    |
| <i>Burgus</i> de Warham,      | { <i>Johannes</i> Stafford Miles.  |
|                               | { <i>Edmondus</i> Scott Gener.     |
| <i>Burgus</i> de Corf-castle, | { <i>Johannes</i> Durning Gener.   |
|                               | { <i>Johannes</i> Davies Gener.    |

## Essex.

|                              |                                   |
|------------------------------|-----------------------------------|
| <i>Com.</i> Essex,           | { <i>Henry</i> Maynard Ar.        |
|                              | { <i>Francis</i> Barrington Ar.   |
| <i>Burgus</i> de Colchester, | { <i>Robertus</i> Barker Ar.      |
|                              | { <i>Richardus</i> Simnell Gener. |
| <i>Burgus</i> de Malden,     | { <i>Willielmus</i> Wiseman Ar.   |
|                              | { <i>Richardus</i> Weston Ar.     |
| <i>Burgus</i> de Harwich,    | { ————                            |
|                              | { ————                            |

## Eborum.

|                   |                                   |
|-------------------|-----------------------------------|
| <i>Com.</i> Ebor. | { <i>Thomas</i> Fairfax Miles.    |
|                   | { <i>Edwardus</i> Stanhopp Miles. |

Civitat.

|                                      |                                                                                  |
|--------------------------------------|----------------------------------------------------------------------------------|
| <i>Civitat. Ebor.</i>                | { <i>Johannes Bennet</i> Legum Doct.<br>{ <i>Henricus Hall</i> Ar.               |
| <i>Villa de Kingston super Hull,</i> | { <i>Johannes Lister</i> Mercator.<br>{ <i>Johannes Graves</i> Mercator.         |
| <i>Burgus de Scardborough,</i>       | { <i>Willielmus Ewre</i> Ar.<br>{ <i>Edwardus Stanhopp</i> Ar.                   |
| <i>Burgus de Knarefborough,</i>      | { <i>Henricus Slingsbye</i> Ar.<br>{ <i>Willielmus Slingsbye</i> Ar.             |
| <i>Burgus de Rippon,</i>             | { <i>Christopherus Hawkins</i> Leg. Doct.<br>{ <i>Johannes Thorneborough</i> Ar. |
| <i>Burgus de Richmond,</i>           | { <i>Cuthbert Pepper</i> Ar.<br>{ <i>Talbot Bowes</i> Ar.                        |
| <i>Burgus Heydon,</i>                | { <i>Mathewus Pattison</i> Gener.<br>{ <i>Christopherus Hilliard</i> Ar.         |
| <i>Burgus Buroughbrigg,</i>          | { <i>Thomas Fairfax</i> Ar.<br>{ <i>Richardus Whaley</i> Ar.                     |
| <i>Burgus Thufke,</i>                | { <i>Johannes Mallery</i> Ar.                                                    |
| <i>Burgus Aldfborough,</i>           | { <i>Edwardus Cecill</i> Miles.<br>{ <i>Richardus Thackeston</i> Ar.             |
| <i>Burgus Beverley,</i>              | { <i>Radolphus Emyns</i> Gener.<br>{ <i>Edwardus Francis</i> Ar.                 |

### Gloucestershire.

|                            |                                                                      |
|----------------------------|----------------------------------------------------------------------|
| <i>Com. Gloucestr.</i>     | { <i>Edwardus Winter</i> Miles.<br>{ <i>Johannes Throgmorton</i> Ar. |
| <i>Civitat. Gloucestr.</i> | { <i>Lucas Garnons</i> Ar.<br>{ <i>Willielmus Oldsworth</i> Ar.      |
| <i>Burgus Cyrencefter,</i> | { <i>Richardus Browne</i> Ar.<br>{ <i>Richardus George</i> Ar.       |
| <i>Burgus Tewksbury,</i>   | { ————<br>{ ————                                                     |

### Huntingtonshire.

|                           |                                                                     |
|---------------------------|---------------------------------------------------------------------|
| <i>Com. Huntington,</i>   | { <i>Jervafius Clifton</i> Miles.<br>{ <i>Oliverus Cromwell</i> Ar. |
| <i>Burgus Huntington,</i> | { <i>Willielmus Beecher</i> Ar.<br>{ <i>Thomas Chitchley</i> Ar.    |

### Hertfordshire.

|                          |                                                                                 |
|--------------------------|---------------------------------------------------------------------------------|
| <i>Com. Hertford,</i>    | { <i>Robertus Cecill</i> Miles, Secr. Reginae.<br>{ <i>Henricus Cary</i> Miles. |
| <i>Villa St. Albans,</i> | { <i>Radolphus Cary</i> Ar.<br>{ <i>Henricus Frowick</i> Ar.                    |

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## Herefordshire.

|                           |                              |
|---------------------------|------------------------------|
| <i>Com.</i> Hereford,     | { Thomas Conisby Miles.      |
|                           | { Herbert Crofts Ar.         |
| <i>Civitat.</i> Hereford, | { Walterus Hurdeman Ar.      |
|                           | { Thomas Jones Ar.           |
| <i>Burgus</i> Lemster,    | { Thomas Conisby Ar.         |
|                           | { Johannes Warnecombe Gener. |

## Kent.

|                                |                             |
|--------------------------------|-----------------------------|
| <i>Com.</i> Kanc.              | { Henricus Nevill Miles.    |
|                                | { Francis Fane Ar.          |
| <i>Civitat.</i> Canterb.       | { Johannes Boys Ar.         |
|                                | { Johannes Rogers Gener.    |
| <i>Civitat.</i> Roffen,        | { Edwardus Hobby Miles.     |
|                                | { Thomas Walsingham Miles.  |
| <i>Burgus</i> de Maidston,     | { Thomas Floud Miles.       |
|                                | { Johannes Leviston Miles.  |
| <i>Burgus</i> de Queenborough, | { Michael Sands Miles.      |
|                                | { Nicholaus Thornton Gener. |

## Lincolnshire.

|                             |                              |
|-----------------------------|------------------------------|
| <i>Com.</i> Lincoln,        | { Johannes Sheffield Ar.     |
|                             | { Willielmus Wray Miles.     |
| <i>Civitat.</i> Lincoln,    | { George Anton Ar.           |
|                             | { Francis Ballingham Ar.     |
| <i>Villa</i> Boston,        | { Anthony Erby Ar.           |
|                             | { Henry Capell Ar.           |
| <i>Villa</i> Magna Grunsby, | { Thomas Dom. Clinton & Say. |
|                             | { Edwardus Skipwith Ar.      |
| <i>Villa</i> Stanford,      | { Robertus Wingfield Ar.     |
|                             | { Edwardus Watson Ar.        |
| <i>Burgus</i> Grantham,     | { Oliverus Manners Ar.       |
|                             | { Thomas Horfeman Ar.        |

## Leicestershire.

|                          |                           |
|--------------------------|---------------------------|
| <i>Com.</i> Leicestr.    | { Henry Hastings Ar.      |
|                          | { Willielmus Skipwith Ar. |
| <i>Burgus</i> Leicester, | { Georgius Bellgrave Ar.  |
|                          | { Willielmus Heyricke Ar. |

Lanca-



# Lancashire.

|                                    |                                          |
|------------------------------------|------------------------------------------|
| <i>Com. Lancaster,</i>             | { <i>Richardus Haughton Miles.</i>       |
| <i>Burgus Lancaster,</i>           | { <i>Jeronymus Bowes Miles.</i>          |
|                                    | { <i>Cary Reynell Miles.</i>             |
| <i>Burg. de Preston in Andern.</i> | { <i>Johannes Brograve At.Duc.Lanc.</i>  |
| <i>Villa Liver-pool,</i>           | { <i>Edwardus Anderson Ar.</i>           |
|                                    | { <i>Henry Calveley Ar.</i>              |
| <i>Burgus de Newton,</i>           | { <i>Thomas Langton Baron of Walton.</i> |
|                                    | { <i>Richard Ashton Gener.</i>           |
| <i>Villa Wygon,</i>                | { <i>Rogerus Downs Ar.</i>               |
|                                    | { <i>Johannes Poultney Ar.</i>           |
| <i>Burgus Clithero,</i>            | { <i>Johannes Osbaston Ar.</i>           |
|                                    | { <i>Antonius Deering Ar.</i>            |

# Middlesex.

|                         |                                              |
|-------------------------|----------------------------------------------|
| <i>Com. Midd.</i>       | { <i>Johannes Fortescue Mil. Canc. Scac.</i> |
|                         | { <i>Robertus Wroth Miles.</i>               |
| <i>Civitat. Westm.</i>  | { <i>Thomas Knivet Miles.</i>                |
|                         | { <i>Willielmus Cooke Ar.</i>                |
|                         | { <i>Stephanus Somes Miles.</i>              |
| <i>Civitat. London.</i> | { <i>Johannes Crooke Ar. Recordat.</i>       |
|                         | { <i>Thomas Phetyplace Mercator.</i>         |
|                         | { <i>Johannes Pinder Mercator.</i>           |

# Monmouthshire.

|                         |                               |
|-------------------------|-------------------------------|
| <i>Com. Monmouth,</i>   | { <i>Thomas Somerset Ar.</i>  |
|                         | { <i>Henricus Morgan Ar.</i>  |
| <i>Burgus Monmouth,</i> | { <i>Robertus Johnson Ar.</i> |
|                         | { _____                       |

# Northamptonshire.

|                               |                                             |
|-------------------------------|---------------------------------------------|
| <i>Com. Northampton,</i>      | { <i>Johan. Stanhopp Miles. vic.hosp.R.</i> |
|                               | { <i>William Lane Miles.</i>                |
| <i>Civitat. Peterborough,</i> | { <i>Nicholaus Tuston Ar.</i>               |
|                               | { <i>Goddard Pemberton Gener.</i>           |
| <i>Villa Northampton,</i>     | { <i>Henry Hickman Legum Doctor.</i>        |
|                               | { <i>Francis Tate Ar.</i>                   |
| <i>Villa Barkley,</i>         | { <i>Edm. Mountague Ar.</i>                 |
|                               | { <i>Johannes Downe Ar.</i>                 |

*Burgus*

*Burgus* Higham Ferris,{ *Henry Mountague* Ar.  
\_\_\_\_\_

## Nottinghamshire.

*Com.* Nottingham,{ *Carolus Cavendish* Miles.  
{ *Robertus Perpoint* Ar.*Villa* Nottingham,{ *William Gregory* Gener.  
{ *William Greyns* Gener.*Burgus* de Estretford,{ *Roger Mannors* Jun. Ar.  
{ *Robertus Kidman* Gener.

## Norfolk.

*Com.* Norf.{ *Bassingburnus Gawdy* Miles.  
{ *Henricus Gawdy* Miles.*Civitat.* Norwich,{ *Alexander Thurston* Mercator.  
{ *Johannes Pettus* Mercator.*Villa* Lyn Reg.{ *Robertus Mansell* Miles.  
\_\_\_\_\_*Villa* Magna Yarmouth,{ *Henry Hubbard* Ar.  
{ *Thomas Dannet* Gener.*Villa* Thetford,{ *Henry Warner* Ar.  
{ *Thomas Knivett* Ar.*Burgus* Castle-rising,{ *John Peyton* Esq;  
\_\_\_\_\_

## Northumberland.

*Com.* Northumberland,{ *Robertus Cary* Miles.  
{ *William Selby* Jun. Ar.*Villa* Novæ Castræ sup. Tine.{ *William Gennison* Alderman.  
{ *George Selby* Alderman.*Burgus* de Morpeth,{ *George Savill* Ar.  
{ *John Browne* Ar.*Villa* Barwick,{ *William Selby* Sen. Ar.  
{ *David Waterhouse* Ar.

## Oxfordshire.

*Com.* Oxon.{ *Will. Knowls* Mil. Comp. hosp. Reg.  
{ *Radolphus Walcopp* Ar.*Civitat.* Oxon.{ *Francis Leigh* Ar.  
{ *George Calfield* Ar.*Universitas* Oxon.{ \_\_\_\_\_  
\_\_\_\_\_

*Burgus de Woodstock,* { *Lawrence Tanfield Ar.*  
                                       { *William Scot Gener.*  
*Burgus de Banbury,*        { *Anthony Cope Miles.*

Rutlandshire.

*Com. Rutland,*                { *Johannes Harrington Miles.*  
                                       { *Edwardus Noell Ar.*

Surrey.

*Com. Surrey,*                { *Will. Dom. Howard de Effingham.*  
                                       { *George Moore Miles.*  
*Burgus de Southwark,*       { *Mathews Dale Esq;*  
                                       { *Zacharias Locke Esq;*  
*Burgus de Rygate,*           { \_\_\_\_\_  
                                       { \_\_\_\_\_  
*Burgus de Gilford,*         { *Robertus Moore Ar.*  
                                       { *William Jackson Gener.*  
*Burgus de Gatton,*          { *Mathew Brown Knight.*  
                                       { *Richard Sands Esq;*  
*Burgus de Haselmer,*       { *Francis Wooley Ar.*  
                                       { *John Clarke Ar.*

Staffordshire.

*Com. Stafford,*                { *Thomas Gerrard Miles.*  
                                       { *Johannes Edgerton Miles.*  
*Civitat. Litchfield,*       { *Anthony Diott Esq;*  
                                       { *Robertus Brown Esq;*  
*Villa Stafford,*               { *Edward Stafford Miles.*  
                                       { *William Essex Ar.*  
*Burgus Novæ Cast. super Lin.* { *Edwardus Mannering Gener.*  
                                       { *Thomas Trentham Gener.*  
*Burgus de Tamworth,*       { *George Egeocke Ar.*  
                                       { *Robert Burdett Esq;*

Shropshire.

*Com. Salop.*                    { *Johannes Egerton Ar.*  
                                       { *Roger Owen Ar.*  
*Burgus Salop.*                { *George Barker Esq;*  
                                       { *Reginold Scriven Esq;*  
*Burgus Bridgnorth,*         { *Thomas Hord Ar.*  
                                       { *Edward Bromely Ar.*



|                               |                              |
|-------------------------------|------------------------------|
| <i>Burgus</i> Ludlow,         | { Robertus Berry Gener.      |
|                               | { Thomas Camerland Gener.    |
| <i>Burgus</i> Magnæ Wenlock,  | { John Brett Ar.             |
|                               | { William Leighton Jun. Esq; |
| <i>Villa</i> Castri Episcopi, | { Alexander King Esq;        |
|                               | { Hayward Townshend Esq;     |

## Southamptonshire.

|                                     |                                   |
|-------------------------------------|-----------------------------------|
| <i>Com.</i> Southampton,            | { Henry Wallopp Miles.            |
|                                     | { Edward Moore Miles.             |
| <i>Civitat.</i> Winton.             | { Edward Cole Gener.              |
|                                     | { Thomas Fleming Gener.           |
| <i>Villa</i> Southampton,           | { Thomas Fleming Solicitor-Gen.   |
|                                     | { Thomas Lambert Ar.              |
| <i>Villa</i> Portsmouth,            | { John Moore Recordator.          |
|                                     | { Edward Jones Ar.                |
| <i>Burgus</i> de Yarmouth,          | { William Cotton Ar.              |
|                                     | { Stephan. Theobald Ar.           |
| <i>Burgus</i> de Peters-field,      | { William Kingsmell Esq;          |
|                                     | { John Swynerton Jun. Esq;        |
| <i>Burg.</i> de Newp. alias Medena, | { Thomas Crompton Esq;            |
|                                     | { Richard James Esq;              |
| <i>Burgus</i> de Stockbridge,       | { Edward Savage Esq;              |
|                                     | { Thomas Grimes Esq;              |
| <i>Burgus</i> de Newton,            | { Robert Wroth Esq;               |
|                                     | { Robert Cotton Esq;              |
| <i>Burgus</i> de Christ-church,     | { Henry Meere of the Middle-Temp. |
|                                     | { Simon Wills Ar.                 |
| <i>Burgus</i> de Whitchurch,        | { Thomas Henshawe Esq;            |
|                                     | { Thomas Crompton Legum Doctor.   |
| <i>Burgus</i> de Lemminton,         | { Francis Darcy Miles.            |
|                                     | { Thomas Ridley Legum Doctor.     |
| <i>Villa</i> Andevor,               | { Henry Ludlow Esq;               |
|                                     | { Richard Hide Esq;               |

## Suffolk.

|                           |                           |
|---------------------------|---------------------------|
| <i>Com.</i> Suff.         | { Henry Glemham Miles.    |
|                           | { Calthrop Parker Ar.     |
| <i>Burgus</i> Gippewich,  | { Michael Stanhopp Esq;   |
|                           | { Francis Bacon Esq;      |
| <i>Burgus</i> Dunwich,    | { John Suckling Esq;      |
|                           | { Francis Mingay Esq;     |
| <i>Burgus</i> Ortford,    | { John Townshend Miles.   |
|                           | { Richard Knightly Miles. |
| <i>Burgus</i> Aldborough, | { Martin Sutwill Esq;     |
|                           | { Francis Corbett Esq;    |

|                           |                        |
|---------------------------|------------------------|
| <i>Burgus de Sudbury,</i> | { Philip Gawdy Esq;    |
|                           | { Edward Glascock Esq; |
| <i>Burgus de Eye,</i>     | { Edward Hunings Esq;  |
|                           | { Anthony Gawdy Esq;   |
| <i>st. Edmondsbury,</i>   | { ————                 |

### Somerfethshire.

|                            |                                 |
|----------------------------|---------------------------------|
| <i>Com. Somerset,</i>      | { Mauricins Barkley Miles.      |
|                            | { Edwardus Philips Ar.          |
| <i>Civitat. Bristol,</i>   | { George Snigg Ar. Recordator.  |
|                            | { John Hopkins Alderman.        |
| <i>Civitat. Bathon,</i>    | { Willielmus Sherston Alderman. |
|                            | { Willielmus Heath Alderman.    |
| <i>Civitat. Wellen,</i>    | { Jacob Kirton Ar.              |
|                            | { George Upton Ar.              |
| <i>Burgus Tanton,</i>      | { Daniel Downe Legum Doctor.    |
|                            | { John Bond Gener.              |
| <i>Burgus Bridgwater,</i>  | { Francis Hastings Miles.       |
|                            | { Alexander Popham Ar.          |
| <i>Burgus de Minehead,</i> | { Francis James Legum Doctor.   |
|                            | { Lodwick Lashbrooke Gener.     |

### Suffex.

|                             |                                    |
|-----------------------------|------------------------------------|
| <i>Com. Suffex,</i>         | { Charles Howard Esq;              |
|                             | { Robert Sackvill Esq;             |
| <i>Civitat. Cicestr.</i>    | { Adrian Stoughton Ar. Recordator. |
|                             | { Stephen Barnham Ar.              |
| <i>Burgus de B.</i>         | { William Harvie Miles.            |
|                             | { Michael Hicks Esq;               |
| <i>Burgus de Mildhurst,</i> | { Richard Browne Sen. Ar.          |
|                             | { Michael Heydon Ar.               |
| <i>Burgus de Lewis,</i>     | { George Goring Esq;               |
|                             | { Percival Harte Miles.            |
| <i>Burgus Shoreham,</i>     | { Johannes Morley Ar.              |
|                             | { Robertus Booth Ar.               |
| <i>Burgus Brember,</i>      | { Thomas Sherley Jun. Miles.       |
|                             | { Henry Boyer Ar.                  |
| <i>Burgus Steyning,</i>     | { Thomas Sherley Jun. Miles.       |
|                             | { Robertus Boyer Ar.               |
| <i>Burgus Estringsteed,</i> | { Henry Compton Ar.                |
|                             | { George Rivers Ar.                |
| <i>Burgus Arundel,</i>      | { Thomas Palmer Ar.                |
|                             | { Thomas Baker Sen. Ar.            |

West-

## Westmerland.

|                          |                         |
|--------------------------|-------------------------|
| <i>Com. Westmerland,</i> | { George Wharton Ar.    |
|                          | { Thomas Strickland Ar. |
| <i>Burgus de Apleby,</i> | { John Morris Ar.       |
|                          | { Thomas Cesar Ar.      |

## Wiltshire.

|                                |                               |
|--------------------------------|-------------------------------|
| <i>Com. Wilts,</i>             | { Edmondus Cary Miles.        |
|                                | { Edwardus Hungerford Miles.  |
| <i>Civitat. Novæ Sarum,</i>    | { Egidius Tooker Ar.          |
|                                | { Johannes Puxton Gener.      |
| <i>Burgus de Wilts,</i>        | { Edward Morgan Miles.        |
|                                | { Hugo Samford Ar.            |
| <i>Burgus de Downton,</i>      | { Thomas Penruddock Ar.       |
|                                | { Edward Barker Gener.        |
| <i>Burgus de Hindon,</i>       | { Thomas Thinne Esq;          |
|                                | { George Pawle Esq;           |
| <i>Burgus de Westbury,</i>     | { Mathew Ley Esq;             |
|                                | { Henry Jackman Esq;          |
| <i>Burgus de Calne,</i>        | { Lionel Ducket Esq;          |
|                                | { Richard Lowe Esq;           |
| <i>Burgus de Vizes,</i>        | { Egidius Phetyplace Esq;     |
|                                | { Robert Drewe Gener.         |
| <i>Burgus de Chippingham,</i>  | { Robert Barkeley Ar.         |
|                                | { Edward Wymarke Ar.          |
| <i>Burgus de Malmisbury,</i>   | { William Monson Miles.       |
|                                | { Sidney Mountague Esq;       |
| <i>Burgus de Crickelade,</i>   | { George Gifford Miles.       |
|                                | { Robert Master Legum Doctor. |
| <i>Burgus de Magna Bedwyn,</i> | { Anthony Hungerford Esq;     |
|                                | { Luines Monck Esq;           |
| <i>Burgus Ludgerfall,</i>      | { Robertus Penruddocke Esq;   |
|                                | { James Kirton Gener.         |
| <i>Burgus Veteris Sarum,</i>   | { Robertus Turner Ar.         |
|                                | { Henry Hide Esq;             |
| <i>Burgus Wotton Bassett,</i>  | { Johannes Wentworth Esq;     |
|                                | { Johannes Rice Esq;          |
| <i>Burgus Marleborough,</i>    | { Richardus Diggs Esq;        |
|                                | { Laurence Hide Esq;          |

## Worcestershire.

|                     |                          |
|---------------------|--------------------------|
| <i>Com. Wigorn.</i> | { Thomas Leighton Miles. |
|                     | { Thomas Ruffell Esq;    |



|                             |                                                                     |
|-----------------------------|---------------------------------------------------------------------|
| <i>Civitat.</i> Wigorn.     | { <i>Romland Barton</i> Gener.<br><i>Christopher Dighton</i> Gener. |
| <i>Burgus</i> Evesham,      | { _____                                                             |
| <i>Burgus</i> de Droitwich, | { <i>John Bucke</i> Esq;<br><i>Humfry Wheeler</i> Esq;              |
| <i>Burgus</i> Bewdley,      | { _____                                                             |

Warwickshire.

|                           |                                                                |
|---------------------------|----------------------------------------------------------------|
| <i>Com.</i> Warwick,      | { <i>Fulke Grevill</i> Esq;<br><i>Robert Digby</i> Miles.      |
| <i>Civitat.</i> Coventry, | { <i>Henry Breres.</i><br><i>Thomas Sanders.</i>               |
| <i>Burgus</i> Warwick,    | { <i>John Townshend</i> Gener.<br><i>William Spicer</i> Gener. |

Barones Quinq; Portuum.

|             |                                                                    |
|-------------|--------------------------------------------------------------------|
| Hastings,   | { <i>Thomas Sherley</i> Jun. Miles.<br><i>Richard Lile</i> Jurat.  |
| Winchelsey, | { <i>Moylus Finch</i> Miles.<br><i>Hugh Beeston</i> Ar.            |
| Rye,        | { <i>Arthur Gorges</i> Miles.<br><i>John Minge</i> Gener.          |
| Rumney,     | { <i>Thomas Lake</i> Esq;<br><i>Thomas Culpepper</i> Gener.        |
| Hithe,      | { <i>William Knight</i> Mayor.<br><i>Christopher Toldersby</i> Ar. |
| Dover,      | { <i>George Fane</i> Esq;<br><i>George Newman</i> Legum Doctor.    |
| Sandwich,   | { <i>Peter Manwood</i> Ar.<br><i>Edward Peake</i> Gener.           |

Wallia.

|                          |                            |
|--------------------------|----------------------------|
| <i>Com.</i> Montgomery,  | <i>Edward Herbert</i> Esq; |
| <i>Villa</i> Montgomery, | <i>John Harris</i> Esq;    |
| <i>Com.</i> Radnor,      | <i>Jacob Price</i> Esq;    |
| <i>Villa</i> Radnor,     | <i>Stephen Price</i> Esq;  |
| <i>Com.</i> Denbigh,     | _____                      |

Y y y y

*Villa*

|                                 |                                        |
|---------------------------------|----------------------------------------|
| <i>Villa Denbigh,</i>           | —————                                  |
| <i>Com. Pembroke,</i>           | <i>John Philips Esq;</i>               |
| <i>Villa Pembroke,</i>          | <i>John Longer Gener.</i>              |
| <i>Com. Cardigan,</i>           | <i>Richard Price Esq;</i>              |
| <i>Villa Cardigan,</i>          | <i>Richard Delabar Esq;</i>            |
| <i>Com. Flint,</i>              | <i>William Ravenscroft Esq;</i>        |
| <i>Villa Flint,</i>             | <i>John Price Gener.</i>               |
| <i>Com. Carmarthin,</i>         | <i>John Vaughan Miles.</i>             |
| <i>Villa Carmarthin,</i>        | <i>Walter Rice Esq;</i>                |
| <i>Com. Carnarvan,</i>          | <i>William Jones Esq;</i>              |
| <i>Villa Carnarvan,</i>         | <i>Nicholas Griffin Gener.</i>         |
| <i>Com. Brecon.</i>             | —————                                  |
| <i>Villa Brecon.</i>            | <i>Henry Williams.</i>                 |
| <i>Com. Glamorgan,</i>          | <i>Tho. Herbert Ar. Secretary Reg.</i> |
| <i>Villa Cardiffe,</i>          | —————                                  |
| <i>Com. Anglesey,</i>           | <i>Thomas Holland Esq;</i>             |
| <i>Villa Beaumorris,</i>        | <i>William Morris Ar.</i>              |
| <i>Com. Merioneth,</i>          | <i>Robert Lloyd Ar.</i>                |
| <i>Villa de Haverford-west,</i> | <i>John Cannon Gener.</i>              |

*The Copy of the Spanish General's Letter for Ireland, written to the Irish Catholicks, and shewed by Mr. Secretary Cecill to the Parliament-house.*

Dominus *Johannes de Aquilla* Magister Belli Generalis, & Regis Catholici Hispaniarum Dux in Dei bello quod pro fide tenenda in Hibernia geritur.

**O**mnibus Hiberniæ Catholicis in Quinzale, Corchen Civitate, & in omnibus aliis Villis, Civitatibus & Castris degentibus, Salutem & pacem in eo qui est vera salus imprecatur.

Ad nostras pervenit aures editum fuisse Libellum quoddam in Civitate Corke, sub nomine pro Regis confectum, quod cum multa à veritate maximè aliena contineat, eaque Aures proborum offendunt. Nec simplicium animos forte seductos in errorem deducant, & à veritate averstant; coactus sum falsa esse ostendere, veritatem aperire, paucisq; innuere pretextum, & præclarissimam Regis nostri Philippi intentionem in hoc bello Apostolica Authoritate à nobis Administrandum; & (ut verum fatear) possem facillime convitia quod nobis objiciunt in ipsos retundere, & voluptatem quam maledicendo sumpserunt, illam male audiendo amittere. Ceterum novimus ut debiles & inermes Muliercola ad convitia fugere: Sed hiis prætermis, ad objecta, solida veritate & ex Christiana Modestate respondere.

Imprimis, Commoneamini nos velle subditos prætenso Regine Angliæ ab obedientia & debita per dei legem servitute abducere, & ad nos aggregare. Quod maximè ex parte à veritate alienum est. Neminem enim persuadere conamur ut debitam servitutem secundum dei Legem deneget suo Principi. Sed bene nostis ante multos Annos ipsam Elizabetham (for so said Mr. Secretary, he bluntly called her that same Elizabeth) privatam esse Regno, subditosque omnes absolutos esse à Juramento Fidelitatis per supremum Pontificem, cui Regnans in excelsis Rex Regum omnimodum potestatem tradidit, ut evellat, distruat, plantet, ædificet, ita ut ipsos Reges temporales si ad spirituale ædificem expediret, eosque ad depositionem à Regno privat, quod factum esse in Regnis Angliæ & Hiberniæ à pluribus Pontificibus supremis, viz. Pio quinto, Gregorio decimo tertio, & nunc Clemente octavo, omnibus notum est, quorum Diplomata extant apud nos (Catholicis Loquor) non protervis Hereticis qui à Fide Romane Ecclesiæ declinaverunt; nam cum Cæci sunt, & Cæcorum Duces & fundamenta veritatis prorsus ignorant, etiam in hoc dissentire à nobis non mirum est. Sed nostri fratres Catholici in simplicitate fidei Romane ambulantes, & Ecclesia Catholica consentientes, quod est columna & fundamentum veritatis, omnia ista facile percipiant.

Ergo



Ergo restat quod Hiberni qui vobis adherent nil adversus legem Dei & fidelitatem debitam, imò secundum divina præcepta & obedientiam quam Supremo Pontifici debent cooperentur.

Secundo asseritis, nos Hispanos blanditiis, & fictitiis adulationibus Hibernos demulcire atque & multa beneficia in illos exhibere, quod in nostram averfissimam est natura, sed hoc mº in principio facere, ut simplicium animos ad nos convertentes, in posterum credulitatem circa illos exercentes, sanguinolentam naturam nostram ostendamus. Proh Deum immortalem! quis non miretur acerbam & indissibilem credulitatem audaciámque vestram in his verbis ostensam?

Quis est enim qui non novit crudelitatem maximam quam vos Angli adversus miseros Hibernicos exercivistis, & exercere non desistitis, vos inquam ab ipsorum animis fidem Catholicam quam coluerunt Patris eorum in quo salus aeterna consistit auferre conamini crudeliores profecto Urbs & Leonibus, qui tantum temporalem vitam auferrent, vos tamen aeternam & spirituales. Quis temporalia omnia istius florentissimi Regni demolitus est nisi Anglus? videte hoc, & confundamini. Nos vero, Patriam dulcissimam & felicissimam Hispaniam omnibus scilicet bonis refertam vicem Catholicorum dolentes, relinquimus, & eorum clamoribus incitati, qui Cælum Terramque attingunt, & anres supremi Pontificis & Regis nostri Philippi pulsantes, misericordia moti, Ad vos Milites, Argentum, Aurum, & Arma liberali manu tandem mittere decreverunt, non ut erga vos Hiberni Catholici crudelitatem (ut isti fingunt) exercerent, sed ut feliciter vos à Diaboli faucibus ereptos, à Tyrannide liberos, ad pristinam vestram ingenuitatem redigant, ut libere possitis fidem Catholicam profiteri.

Ergo dilectissimi in Christo, postquam jam quod per tot ante annos desiderio desiderastis præcibus & lacrimis efflagitastis, & impetrastis, & jamjam Supremus Pontifex Vicarius Christi in Terris vobis imperat ut Arma in Defensionem vestræ fidei sumatis, vos omnes moveo & hortor atque contestor Omnes in quam ad quos istæ Litteræ pervenerint, ut quam citissime in vestra fuerit potestate ad nos cum Amicis & Armis conveniatis. Qui hoc fecerit nos paratos inveniet, Arma nostra & ceteraq; possidemus ipsis communicabimus. Qui aliter enim spretis nostris Conciliis saluberrimis, fecerit & in salibra, & Anglorum obedientia permanferit, tanquam Hæreticum & Hostem, & Ecclesiæ invisum usque ad necem prosequimur.

Doryum de Laguia.

After

*After the Parliament, at the end of Hillary-Term next following, the Lord Keeper, by her Majesties expresse Command, made a Speech in the Star-chamber, on the 13th of February, all these Personages being present, viz.*

*Sir Thomas Egerton, Lord Keeper of the great Seal.  
The Archbishop of Canterbury.  
The Lord Buckhurst, Lord Treasurer of England.  
The Earl of Shrewsbury.  
The Earl of Worcester.  
Sir William Knolls, Controulor of her Majesties Household.  
The Bishop of London.  
Sir John Fortescue, Chancellor of the Exchequer.  
Sir John Popham, Lord Chief Justice of England.  
Mr. Secretary Herbert.  
Sir Edmond Anderson, Lord Chief Justice of the Common-Pleas.  
Sir ----- Peryam, Lord Chief Baron.  
Mr. Baron Clarke.  
Mr. Baron Savelle.  
Mr. Justice Fenner.  
Mr. Justice Kingsmill.  
Mr. Justice Warberton.*

After a silence made, and some few Motions made by Mr. Attorney-General, and the Queens Counsel, and some others, the Cryer of the Court again made silence, and the Lord Keeper putting off his Hat, and then putting it on again, spake to this effect.

*My Lords,*

" I Am by her Majesties commandment to deliver unto you her  
" gracious pleasure, and those things which out of her Princely  
" wisdom and care she hath thought fit to be made known.

" I scarce know how to enter into this matter, and I am sorry  
" that now in speaking I shall lay open the looseness of the times:  
" neither are her Majesties Proclamations regarded, neither her  
" Councils Letters respected, neither her late-made Statutes and  
" Decrees obeyed, nor put in so due execution as they ought.

" These things deserve to have a more round and strict course  
" than have been used; and we deserve not so gracious a Pardon  
" as it hath pleased her most gracious Majesty, out of her meer good-  
" ness, lately to bestow upon us: but this onely to divers persons  
" and offences, of those which live in degree of private men.

" But I am to speak of Offences of Mayors, Justices of Assize,  
" and men of that condition. The time of Lent and abstinence  
" from Flesh, if it be not duely observed, what Dearth and Penury  
" will not almost ensue? And therefore was the time of Lent well  
" placed, even in the Spring, and the beginning of the increase of

*The Lord Keeper's Speech in the Star-chamber.*

*A Charge for the keeping of Lent strictly.*

Z z z z

" Beasts

*An. 1601.*

"Beasts. Her Majesties expresse command is, That it be strictly  
 "observed, and that with this caution, That where fault shall be  
 "found, that there extremity shall be inflicted, and that no tolera-  
 "tion of such offences shall be suffered.

"Next, That ye inquire what Places and persons are fit to be  
 "suppressed and looked unto; Ordinary-tables, Tippling-houses,  
 "some even Brothel-houses or worse, in which both of Muttons,  
 "Veals, and Lambs, there is continually made an unmeasurable ex-  
 "pence.

"But consider who are the men that devour the Substance of  
 "the Land, which should sustain us all; what kind of men be  
 "they? even your discourfers, which do introduce Novelties, and  
 "slander the State; the most pestilent, seditious, and dangerous  
 "Members of the Land. In rooting out these men, you shall shew  
 "the best part of your duties to God and her Majesty; which her  
 "Majesty expressly chargeth you to take special heed of.

*To relieve poor  
Souldiers.*

"I am also to remember you what good Laws were lately made  
 "for the punishment of vagrant Rogues and sturdy Beggars, and  
 "for the provision of poor Souldiers; the neglect of which duty,  
 "in not seeing these good Laws executed, will draw Gods curse  
 "and displeasure upon us: And therefore order by you ought to  
 "be taken, that those which be poor be relieved, and idle persons  
 "suppressed, which do mispend the good gifts of God plentifully  
 "bestowed upon us: That you look the poverty of Souldiers be  
 "relieved according to their quality and degree, and that twenty  
 "pounds by the year be not given to some, when others, far poo-  
 "rer, have but forty shillings by the year: And therefore look  
 "that those Laws that were last made be not last, but first put in  
 "execution. These be matters and crimes, which if they be not  
 "amended, the Commonwealth and State may still stand, and lan-  
 "guish, though not perish.

"But there is another matter of great importance, which if it be  
 "not looked unto, will overthrow even the body of the State it  
 "self; which none can or will deny, unless he be given over to a  
 "senseless stupidity. It is not unknown what Plots have been  
 "and are laid against the Queens Person (whom God preserve)  
 "and the body of the State, by those we call Jesuits, unnatural  
 "Vipers ready to eat out the belly of their Mother; who being  
 "now grown to some strength and head, do proceed with more  
 "violence and greater malice in their actions, than ever hereto-  
 "fore.

*About Jesuits  
and secular  
Priests, their  
practices.*

"They have made unto them an Archpriest and Ruler, the  
 "principal Agent against God, the Queen, Religion, and the State,  
 "because they might execute their dangerous Enterprizes and  
 "Designes with a kind of conjoynd Unity. They do not stick  
 "to determine even in the height of their pride, great, yea even  
 "the greatest matters. In this the Secular Priest is no Agent, nei-  
 "ther dangerous in that degree to the State: for as there be de-  
 "grees of Offences, so are there degrees of Offenders. But I ex-  
 "cuse not the Secular Priest, and therefore therein I pray you  
 "mistake me not; for what Writings and Books have been extant  
 and



"and are given out, of their Quarrels and Controversies! and I warn you to take heed of them.

"There be three Workers in the subversion of the State: First, the Jesuit; secondly, the secular Priest; and thirdly, a kinde of Parson of our own Religion, yet as he thinketh of a more pure spirit, disliking onely the government of the Church and State. These her Majesties pleasure is, That you should be more diligent to search out than you have been, and to observe who entertains these in their houses which be of the Catholick Roman Religion.

"Those that incur the danger of the Law, let them now look for execution, howsoever offences heretofore have been tolerated by Magistrates not doing of their duties. Many are Justices of the Peace, but what do they but maintain Quarrels, Stirs, Controversies and Dissention betwixt their Neighbours? We have two evident Examples; the one in *Gloucestershire*, the other that was moved this morning, viz. in Sir Thomas Throgmorton's Case.

"The thirst after this Authority, proceedeth from nothing but an ambitious humour of gaining of Reputation amongst their Neighbours, that still when they come home, they may be presented with Presents, and that they may sit high on the Bench in the Quarter-Sessions, that they may maintain and buy Titles. Is there any more fervent than others in the business of the Commonwealth? he straight hath given him the Epethite of a busie Jack: but I know there be many good, and I wish their number were increased; but who be they? even the poorer and meanest Justices, by one of which more good cometh to the Commonwealth, than by a hundred of greater condition and degree. And thus much I had in commandment to say to Justices of Peace, to Commanders, to Constables, and other inferior Officers.

"To you who be Justices of Assize, there yet remaineth, by her Majesties express commandment, a further Charge and Admonition to be delivered: That you see the great offences, which heretofore have not been, to be hereafter punished. And her Majesty said, she hath chosen you to be Justices for your wisdom and integrity; and she hath divided you by two's in several Circuits, to ride twice every year, that the one might be aiding and assisting to the other, not onely to try a *Nisi prius*, or decide some petty Cause, but with special care and diligent observance, to look into the disorders of your Circuits, suppose for the purpose in *Norfolk*, although truly I think that County is best govern'd; and I would say more, if he which rideth that Circuit were absent.

"To examine Justices touching Misdemeanours, to inform her Majesty how many Ale-houses they have pulled down, how many Priests they have taken, and who harbour them; and of all these matters to give an account to her Majesty at your return, that she taking notice from you, the good Justices may be rewarded, and the evil removed.

"Your

Concerning  
Justices of the  
Peace.

*An. 1601.*

“ Your not doing of this, breedeth nothing but impunity, which  
 “ is dangerous in the State, and the very root of Sedition and Re-  
 “ bellion: And Clemency of this nature, is *Crudelis Clementia*,  
 “ but the other *Securitas Salutaris*: Her Majesty commanded  
 “ me to say unto you, that she would have you spend more time  
 “ in understanding the faults and grievances in every of your Cir-  
 “ cuits, than you have heretofore done; for she saith, that she  
 “ hath not been informed of any more than of one onely.

“ This you may well do, and she commandeth it to be done, the  
 “ times being so peaceful, which I hope will continue. And as  
 “ God hath blessed her Majesty these Forty four years amongst us,  
 “ so I hope God will yet lengthen her days: for the continuance  
 “ of which, we ought all to pray for.

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*FINIS.*

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# A N Alphabetical TABLE

Of the most material

BILLS, DEBATES, and other Matters

Contained in this B O O K.

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